

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

BEFORE THE REGISTRAR ASHOK MENON

REVIEW PETITION (C) NO(s). 702 OF 2006 IN T.P.(C) 138/2005

ROMI ANSHUMAN BANERJEE

Petitioner(s)

VERSUS

ANSHUMAN BANERJEE

Respondent(s)

Date: 12/11/2009

This Petition was circulated today.

By Circulation

Mrs Manik Karanjawala,Adv.
Mr. Abhishek Roy,Adv.
Mr. Vivek Sharma,Adv.

UPON perusing papers the Court made the following
O R D E R

T.P.(C) No. 138/2005 was dismissed by the Hon'ble Court and thereafter the petitioner therein has filed Review Petition(C) No. 702/2006 and notice was ordered by the Hon'ble Court to the respondent. Repeated attempt made by the petitioner to serve the respondent did not yield any result. The postal service was returned with the endorsement that the party has shifted from the address. Counsel for the petitioner thereafter submitted that he has served the counsel (Advocate on Record) appearing for the respondent in the Transfer Petition. On perusal it was seen that the notice was not served on the counsel but on someone representing the counsel and hence it could not be taken as sufficient service and hence fresh notice was ordered to be served on the respondent. Counsel for the petitioner has again on 11.11.2009 filed a proof of service of notice alleging that notice is served on the respondent's Counsel. It is seen that ..2/-

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Mr. V.K. Singh, Advocate has accepted the notice for Mr. T.N. Singh, (Advocate on Record). Hence, it could not be taken as sufficient notice. The matter has been repeatedly prolonged for the purpose of service of notice on the respondent and no proper steps has been taken by the counsel for the petitioner to get the respondent or the counsel holding Vakalatnama for the respondent in the Transfer Petitioner No. 138/2005 served, hence list the matter before the Hon'ble Judge in Chamber for non-prosecution.

(Ashok Menon)
Registrar