

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 S.G. SHAH

Petition(s) for Special Leave to Appeal (Civil) No(s).20399/2004

(From the judgment and order dated 14/05/2003 in CMWP No.13817/2001
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

STATE OF UTTAR PRADESH AND ANR.

Petitioner(s)

VERSUS

A.K. GUPTA AND ORS.

Respondent(s)

(With appln(s) for c/delay in filing SL and exemption from filing
c/c of the impugned Judgment and exemption from filing
O.T. and permission to file additional documents and office
report)

Date: 07/02/2007 This Petition was called on for hearing today.

For Petitioner(s)

Mr. Mukesh Verma, Adv.
for Mr. Kamendra Mishra, Adv.
Mr. Ravi Prakash Mehrotra, Adv.

For Respondent(s)

Mr. Anupam Mishra, Adv.
for Mr. V.J. Francis, Adv.

UPON hearing counsel the Court made the following
O R D E R

The order of the Hon'ble Court to issue notice is
dated 20th September, 2004. Thereafter, the matter
was adjourned on several occasions for service on
Respondent No.2 and for filing respective
affidavits. Ultimately, on 3rd July, 2006, two
weeks' time was granted for filing the process

fee and Rejoinder

.2

Affidavit in favour of the petitioner. However, till date petitioner has failed to take proper steps so far as service on Respondent No.2 is concerned.

In view of the facts stated above, if we follow the provisions of the Civil Procedure Code, then there would be an order resulting in non-prosecution against such Respondent No.2. However, learned Advocate for the petitioners seeks time to pay the process fee and to take appropriate steps at the earliest to serve the unserved Respondent No.2.

As a last chance, time is granted till 1st March, 2007.

List the matter on 1st March, 2007.

(S.G. SHAH)
Registrar