

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 SUNIL THOMAS

CIVIL APPEAL NO.2813-2814 OF 2005

ORIENTAL INSURANCE CO. LTD. Petitioner(s)

VERSUS

USHA KAPOOR & ORS. Respondent(s)

(With prayer for interim relief )

Date: 04/01/2013 These Appeals were called on for hearing today.

For Appellant(s)

Mr. M.K. Dua,Adv.

For Respondent(s)

Dr. I.B Gaur,Adv.

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

The report has been received from the District Judge, Varanasi which indicates that the process server approached the wife of respondent No.3 at her home, and she initially accepted service but thereafter refused to acknowledge stating that it does not relate to her husband Chhotey Lal Jaiswal. The report further reveals that Process Server located another Chhotey Lal, who refused to accept that stating that the name of the father differs.

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Since the report indicates that there are more than one Chhotey Lal in the area, and the process server has not adopted the procedure of affixture in the last known address, I am not inclined to treat it as proper service. Ld.counsel for the petitioner is directed to take fresh steps against respondent No.3 in correct address.

List the matter on 19.02.2013.

| | | (Sunil Thomas) |  
| | | Registrar |