

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).21101/2004

(From the judgement and order dated 23/03/2004 in RSA No. 1031/2004 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

RAM CHANDER

Petitioner(s)

VERSUS

PREM CHAND & ORS.

Respondent(s)

(With prayer for interim relief and office report )

Date: 17/04/2007 This Petition was called on for hearing today.

For Petitioner(s) Mr. Prem Malhotra,Adv.

For Respondent(s) Ms. S. Janani,Adv.

UPON hearing counsel the Court made the following

O R D E R

Petitioner has not filed proper proof of service so far as respondent Nos. 7 & 12 are concerned with their affidavit regarding proof of service to such respondents,petitioner has filed two acknowledgment card of registered post wherein there is no postal stamp either by the post office from where such cover/notice were posted or by post office which has delivered notice to the addressee in Haryana. Without postal endorse

ment on such

acknowledgment card, the same could not be considered as a proper and due service to the

concerned respondents. Such acknowledgment is placed on record on 29th March, 2007

whereas on 26th March, 2007 learned Advocate for the petitioner has filed another

affidavit stating that concerned respondents are duly served by producing a receipt for

posting some letters to said respondents only on 16th March, 2007. Even a serial No.

being generated by the post Office for such Regd. Cover which reads as RLAD 9834 and

RLAD 9835 is also not endorsed on the acknowledgment card produced on 29th March,

2007.

Therefore, in absence of any evidence on record regarding posting of notice by

the petitioner and receipt of the same by the respondent, the same cannot be accepted as

proper proof for proper service.

Fresh notice be issued to such unserved respondents by Regd. Post A.D., Dasti

service is allowed if asked for by the petitioner.

List the matter on 11th July, 2007.

(S.G. Shah)

Registrar

MG