

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

BEFORE THE REGISTRAR S.G. SHAH

Petition(s) for Special Leave to Appeal (Crl) No(s).5641/2008

(From the judgement and order dated 27/03/2008 in MCRA No. 5959/2008 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

SARASWATI DEVI & ANR.

Petitioner(s)

VERSUS

STATE OF U.P. & ANR.

Respondent(s)

(With appln(s) for permission to place addl. documents on record

Date: 04/12/2008 This Petition was called on for hearing today.

For Petitioner(s) Petitioner-In-Person,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
ORDER

Issue fresh notice.

Dasti service is permitted to be served through the Standing Counsel.

Mr. Vijay Prakash son of Shri Ram Karan Prasad is present before this Court with his father Shri Ram Karan Prasad son of Shri Gopal Prasad, who is petitioner No. 2 in the present case. They states that petitioners hav issued power of Attorney in favour of Shri Vijay Prakash. He is requesting to consider the notice as duly served, only because registered post A.D. is not received back for more than thirty days. However, since respondents are not served and more particularly respondent No. 2 is wife of Mr. Vijay Prakash and since he has disclosed that at present she is not residing at the given address because of

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her transfer; fresh notice is necessary upon respondents. Petitioner is intending to disclose the address of respondent No. 2. Issue fresh notice upon both the respondents. Registry has to forward such notice for respondent No. 1 through standing counsel for the concerned State. So far as respondent No. 2 is concerned, Registry has to forward such notice through the District Court, Tis Hazari, New Delhi with a specific direction to the Serving Officer to serve the notice at the new fresh address by appropriate mode as provided under the Code of Civil Procedure.

Additional notice also be forwarded at the official address of the unserved respondent No. 2 in a sealed cover.

One additional notice without additional copies of the pleadings be forwarded to the Family Court, Agra with specific direction to serve the petitioner in HMP No. 780/2006 or through her advocate or even by affixing the same at the given address in such petition by the petitioner before such court.

List the matter on 21st January, 2009.

(S.G. Shah)
Registrar

MG