

ITEM NO.54

REGISTRAR'S COURT NO.1

SECTION XVIA

## S U P R E M E C O U R T O F I N D I A

## RECORD OF PROCEEDINGS

BEFORE REGISTRAR B. SUDHEENDRA KUMAR

TRANSFER PETITION (CIVIL.) NO(s). 618 OF 2006

SIMMI Petitioner(s)

VERSUS

SANJAY AGGARWAL &amp; ANR. Respondent(s)

(With office report)

Date: 30/11/2006 This Petition was called on for hearing today.

For Petitioner(s) Mr. S.C. Patel,Adv.

For Respondent(s) Mr. A.P. Mohanty,Adv.

UPON hearing counsel the Court made the following

## O R D E R

The petitioner has filed an application praying for effecting service on

respondent No.2 by publication in 'The Times of India' an English Daily

and

'Hindustan' a Hindi Daily.

Heard.

I have also perused the application.

It is revealed from the application that the notice could not be served on respondent No.2 under normal mode of service despite the earnest efforts taken in this regard. I am satisfied from the averments in the application that notice could not be served on the said respondent under any normal mode of service. 'The

Times of India' an English Daily and 'Hindustan' a Hindi Daily are having wide circulation in the place of residence of the respondent. Therefore, I am inclined to allow this application with a further direction that notice on the above respondent be served by affixation on his last known address as well.

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In the result, this application stands allowed and it is ordered that notice on respondent No.1 be served by publication in 'The Times of India' and 'Hindustan' dailies. The process for publication shall be given as dasti to the petitioner who shall file affidavit in proof of publication along with the newspapers within four weeks. The process for affixation shall be sent from the office directly to the District Judge concerned.

List again on 19.1.2007.

(B. Sudheendra Kumar)

Registrar