

**REGISTRAR COURT NO. 1**

LISTED ON : 12.04.2016

ITEM NO. : 01

**SECTION-XII A**  
**IN THE SUPREME COURT OF INDIA**  
**CIVIL APPELLATE JURISDICTION**

**INTERLOCUTORY APPLICATION NO. 16/2016**

(Application for substituted service through paper publication)

IN

**CIVIL APPEAL No. 10697 OF 2013**

RAVINDRA COOP. HOUSING  
SOCIETY LTD. & ORS.

...APPELLANTS

- VERSUS -

NAWAB IQBALUDDIN KHAN & ORS.

...RESPONDENTS

**OFFICE REPORT**

The matter above-mentioned was listed before the Hon'ble Court on 23<sup>rd</sup> September, 2015, when the Hon'ble Court was pleased to pass the following Order:-

"C.A. No. 10697/2013

Learned counsel for the appearing parties have no objection if the applications are allowed.

I.A. No.15 for setting aside the abatement is allowed. Delay condoned in filing application for substitution. I.A. No.13 for substitution for bringing the Lrs. of the deceased Respondent Nos.32,33 and 36 on record is allowed.

Amended memo of parties be filed within two weeks and notice may be issued to the Lrs. of the deceased Respondent Nos.32, 33 and 36 returnable in six weeks.

There is no appearance on behalf of the State of Telangana. Notice may be issued to the Standing Counsel for the State of Telangana returnable in six weeks.

Dasti, in addition, is permitted."

It is submitted that pursuant to the afore-said order dated 23<sup>rd</sup> September, 2016, notice of lodgment of Petition of Appeal was issued to the Lrs. of deceased Respondent Nos. 32, 33 and 36 through High Court and notice was also issued to M/s. Venkat Palwai Law Associates, Advocates, standing counsel for the State of Telangana. NLPA/notice was also issued to the Advocate for the Appellants for effecting dasti service on the Lrs. of deceased Respondent Nos. 32, 33 and 36 and standing

counsel for the State of Telangana. Accordingly, Mr. Aniruddha P. Mayee, Advocate for the Appellants has on 3<sup>rd</sup> December, 2015 filed affidavit of dasti service in respect of Lrs. of deceased Respondent Nos. 32, 33 and 36 Stating therein that the Lrs./Respondents are not residing in the given address and his enquiry revealed that they were never residing in the said addresses. Counsel has also filed affidavit of service in respect of standing counsel for the state of Telangana, stating therein that notice has been served on M/s. Venkat Palwai Law Associates, Advocate, standing counsel for the State of Telangana.

It is further submitted that the High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh vide its letter dated 4<sup>th</sup> December, 2015 forwarded the certificate of service in respect of all the Lrs. of deceased Respondent Nos. 32 and 36 stating therein that notice has been served on the said Lrs. on 23<sup>rd</sup> November, 2015 and 26<sup>th</sup> November, 2015. and also to informed this Registry that the notice issued to Lrs. of deceased Respondent No. 33 have been returned unserved with the process server report that Lrs. Respondents are “not residing at the given address” Hence, correct addresses of the said unserved Lrs./Respondents are required. Accordingly, counsel for the Appellants was requested vide this Registry's letter dated 30<sup>th</sup> January, 2016 to furnished the latest and correct addresses of both the said Lrs. of deceased Respondent No. 33.

It is also submitted that Mr. Aniruddha P. Mayee, Advocate for the Appellant instead of furnishing the latest and correct address of both the Lrs. of deceased Respondent No. 33, he has on 17<sup>th</sup> March, 2016 filed an application for substituted service through paper publication in Deccan Chronicle, English Daily and Enadu, Telugu daily local editions which are wide circulated daily news papers in the State of Telangana. The said application has been registered as I. A. No. 16 of 2016.

Service is incomplete on Lrs. of deceased Respondent No. 33.

Service is complete on Lrs. of deceased Respondent Nos. 32 and 36 and service in also complete on remaining Respondents.

The aforesaid application in the matter above-mentioned is listed before the Ld. Registrar's Court with this office report for orders.

Dated this, the 11th day of April, 2016.

ASSISTANT REGISTRAR

Copy to:-

1. Mr. Aniruddha P. Mayee, Advocate, Ch. No. 413, Setalvad Block.
2. Mr. Rajesh Kumar, Advocate, 24-A, DDA, SFS Flats, mount Kailash, East of Kailash, ND-110065
3. M/s. Venkat Palwai Law Associates, Advocates, 1, Ashoka Road, New Delhi-110001, (Standing counsel of State of Telangana)

ASSISTANT REGISTRAR