

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

B E F O R E T H E R E G I S T R A R S . G . S H A H

Petition(s) for Special Leave to Appeal (Civil) No(s).18398/2006

NATIONAL INSURANCE CO. LTD.

Petitioner(s)

V E R S U S

POONAM & ORS.
(With office report)

Respondent(s)

Date: 19/10/2011 This Petition was called on for hearing today.

For Petitioner(s)

Mr. M.K. Dua, Adv.

For Respondent(s)

U P O N h e a r i n g c o u n s e l t h e C o u r t m a d e t h e f o l l o w i n g
O R D E R

There is interim order in favour of the petitioner since 3rd November,2006 i.e. almost five years.

It is disturbing position on record that the petitioner has yet not confirmed the service upon the unserved respondents. Petitioner has failed to select appropriate mode of service, as provided under the Code of Civil Procedure.

Petitioner may take appropriate steps to confirm service upon the unserved respondents, as last chance. For the purpose, let there be a fresh notice with additional dasti service. Dasti service is allowed, which is permitted to be served through nearest civil court or the trial court.

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Process fee and spare copies are to be paid/filed on or before 8.11.2011.

If process fee and spare copies are not paid/filed before 8.11.2011, list before the Hon'ble Judge in Chambers for non-prosecution.

If petitioner is unable to confirm service upon the unserved respondents by dasti, then in that case they have to come forward by selecting appropriate mode of service before 8.11.2011 and to take appropriate steps.

If no steps are taken before 8.11.2011, list before the Hon'ble Judge in Chambers for non-prosecution, without any formal order from this court, considering the fact that the respondents are enjoying the ex parte interim stay of five years and they have failed to take appropriate steps to confirm service till date.

If steps are taken by the petitioner to serve notices upon the unserved respondents, issue notice accordingly.

List again on 14.12.2011.

(S.G. SHAH)
REGISTRAR

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