

SECTION IVB

Listed on 08.08.2016

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Court No.R-2
Item No. 25

PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 3418-3425 OF 2014

Panipat Improvement Trust, Panipat

Petitioner(s)

Versus

Rajeshwar Nath (D)Thr. LRs & Ors.

Respondent(s)

OFFICE REPORT

The matter above mentioned was listed before the Ld. Registrar's Court on 29.06.2016, when the following Order was passed:-

" The served respondents shall be at liberty to file the counter affidavit within a period of four weeks.

Ld.counsel for the petitioner is directed to take fresh steps in respect of the unserved respondents within four weeks.

The respondent No.2 in SLP(C) No.3422/2014 has expired. Ld.counsel for the petitioner is directed to take appropriate steps in this regard within four weeks.

The respondent No.3 in SLP(C) No.3422/14 and the respondent No.1 in SLP(C) No.3424/14 has refused to accept the service of notice sent to them under registered cover. This refusal on their part constitutes proper service.

The respondent No.1 in SLP(C) No.3422/14 and the respondent Nos.2 & 3 in SLP(C) No.3424/14 are residing abroad. Therefore, Ld.counsel for the petitioner shall take appropriate steps for the service of notice to them in accordance with the rules governing the subject.

List the matter again on 08.08.2016."

It is submitted that no one has entered appearance on behalf of unserved respondents. Hence, no Counter Affidavit filed.

It is further submitted that Counsel for the petitioners has not taken fresh steps in respect of unserved respondents and also not filed substitution application in respect of deceased Respondent No. 2 in SLP (C) No. 3422/2014.

It is further submitted that Counsel for the petitioner has not taken fresh steps for the service of notice upon Respondent No. 1 in SLP (C) No. 3422/2014 and Respondent Nos. 2 & 3 in SLP (C) No. 3424/2014 who are residing abroad.

Service position is as follows:-

SLP No.	Total Resp.	V/A	C/A	A.D card	Unser ved	Unser ved covers received back with Postal Remarks	Remarks
3418/14	5	-		1, 4, 5	2,3		Incomplete
3419/14	3	-	-	2,3	1		Incomplete
3420/14	7	-	-	6,7	1-5		Incomplete
3421/14	3	-	-	2,3	1		Incomplete
3422/14	5	-	-	4,5	1-2	R-1 'Residing abroad' R-2 'Dead' R-3 (Service complete vide Ld. Registrar's order dt. 29.6.2016)	Incomplete
3423/14	3	-	-	1,2,3	-		Complete

SLP No.	Total Resp.	V/A	C/A	A.D card	Unser ved	Unser ved covers received back with Postal Remarks	Remarks
3424/14	6	-	-	5,6	2-4	R-1 (service complete vide Ld. Registrar's order dt. 29.6.2016) R-2 'Residing abroad' R-3 'Residing abroad'	Complete
3425/14	3	-	-	2,3	1	Unser ved cover received from R-1 without remarks	Incomplete

Service of show cause notice is incomplete.

The matter above mentioned is listed before the Ld. Registrar's Court with this office report.

Dated this the 5th day of August, 2016.

ASSISTANT REGISTRAR

copy to : Ms. Anubha Agrawal, Adv.

D-11, G.K. Enclave II, New Delhi

ASSISTANT REGISTRAR

Haokip