

SECTION XVI

LISTED ON : 02.12.2014
COURT NO.: R- 2
ITEM NO. : 49

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (C). 28407-28408 of 2013

(With prayer for interim -relief)

STATE OF BIHAR

..PETITIONERS

VERSUS

HARENDRA KUMAR DUBEY & ORS.

....RESPONDENTS

OFFICE REPORT

The matter above-mentioned was listed before the Ld.Registrar's Court on 15.09.2014 when the Court was pleased to pass the following order:-

"SLP(C)NO. 28407/2013

Respondent Nos. 1 to 3, 8, 10 and 13 have already filed the Counter Affidavit as gets revealed from the perusal of the office report. The other served respondents shall be at liberty to file the Counter Affidavit within a period of four weeks.

Fresh steps for the service of notice to the unserved respondent Nos. 4 to 7, 9, 11 to 12 and 14 to 19 shall be taken by the learned counsel for the petitioner within a period of three weeks. Dasti in addition is permitted to be served through the Trial Court the particulars of which shall be furnished by the learned counsel for the petitioner within the same period.

SLP(C)NO. 28408/2013

Respondent Nos. 1 to 3, 6 to 9, 11 to 28 have already filed the Counter Affidavit as gets revealed from the perusal of the office report. Service is complete as against the respondent Nos. 29 and 30 but no one has entered appearance on their behalf. These respondents shall also be at liberty to file the Counter Affidavit within a period of four weeks whereafter no further extension shall be provided.

Fresh steps for the service of notice to the unserved respondent Nos. 4, 5 and 10 shall be taken by the learned counsel for the petitioner within a period of three weeks. Dasti in addition is permitted to be served through the Trial Court the particular of which shall be furnished by the learned counsel for the petitioner within the same period.

List again on 2.12.2014."

It is submitted that in view of above order, fresh notice was issued 29.10.2014 to unserved respondents through Trial Court and service position of these matters as under:-

SLP (Civil) No.28407/2013:-

It is submitted that service report stating therein notice is properly served in respect of respondent Nos. 4, 5, 12, 14 to 17, has been received back from concerned District Court.

Now service is complete on Respondent Nos. 1 to 5, 8, 10, 12 to 17 and 23. AD card duly signed have been received back in respect of respondent Nos.20 & 21 but no one entered appearance so far. Unserved Envelop has been received in respect of R. No.22 with postal remarks 'refused by department'.

Neither A.D. cards/unserved envelopes containing notices nor service report from their concerned Trial Court have been received back in respect of R.Nos. 6, 7, 9, 11, 18 and 19. Service on behalf of respondent Nos. 6, 7, 9, 11, 18 and 19 is incomplete.

SLP (Civil) 28408/2013:-

It is submitted that there are 30 respondents in this matter. Mr. B.K.Srivastava Advocate has on 26.11.2014 filed Vakalatnama and memo of appearance on behalf of respondent Nos. 4, 5 and 10 but Counter Affidavit not filed. Now, Respondent Nos.1 to 28 are represented through Mr. B.K.Srivastava, Advocate. AD card duly signed have been received back from respondent Nos. 29 and 30 but no one has entered appearance, so far. Service of notice is complete in this matter.

The matters are listed before the Ld. Registrar Court with this Office report.

Dated this the 27th day of November, 2014.

ASSISTANT REGISTRAR

Copy to : Mr. Gopal Singh, Advocate
Mr. B.K.Srivastava, Advocate
Mr. Naveen Prakash, Advocate

ASSISTANT REGISTRAR