

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

BEFORE THE REGISTRAR M.A. SAYEED

Petition(s) for Special Leave to Appeal (Civil) No(s).13236/2010

MAHARANI DURGESHWARI SAHI & ORS.

Petitioner(s)

VERSUS

STATE OF BIHAR & ORS.

Respondent(s)

(With prayer for interim relief and office report)

WITH SLP(C) NO. 19832 of 2010

(With prayer for interim relief and office report)

SLP(C) NO. 19953 of 2010

(With prayer for interim relief and office report)

SLP(C) NO. 2315 of 2011

(With office report)

SLP(C) NO. 2316 of 2011

(With office report)

SLP(C) NO. 4940 of 2011

(With office report)

Date: 30/11/2012 This Petition was called on for hearing today.

For Petitioner(s)

Ms Amrita Rai, Adv.

Mr. T. Mahipal, Adv.

For Respondent(s)

Mr Sanat Tokas, Adv.

Mr. Gopal Singh, Adv.

UPON hearing counsel the Court made the following

O R D E R

SLP(C) NO.13236/2010

Notices were issued through the District Court to respondent Nos. 6,12,14,18,21 to 24 and 26 to 29. Their status as submitted by the District Court is as under:

Respondent No.	Remarks
6,23	Served
18,31	Lives out of Patna(not served)
21	Died
22	Lives out of country(not served)
29	Not traced

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Item No.10

Office report further reflects that service report in respect of respondent Nos. 12,14,24 and 26 to 28 is still awaited.

So far as remaining respondents are concerned, service is complete and represented parties have already filed counter affidavit on record.

The ld. Counsel for the petitioner to take necessary steps for getting the notices served to the unserved respondents as well as for substitution in respect of respondent No.21 who is reported to have expired.

SLP(C) NO.19832/2010

Notices were issued to respondent Nos. 9,11,15,18 to 20, 22 to 24 and 30, out of which postal acknowledgments duly signed have been received in respect of respondent Nos. 18 to 20 only but none appeared nor any steps taken on their behalf.

So far as remaining unserved respondents are concerned, the ld. Counsel for the petitioner to take necessary steps for filing affidavit of dasti as well as in the meanwhile take steps for getting the notices issued through the concerned District Court.

Service on remaining respondents is complete but none has appeared nor any steps taken on their behalf.

Final chance is granted to respondent No.1 for filing counter affidavit on record.

SLP(C) NO.19953/2010

The ld. Counsel, Mr Gopal Jha appearing on behalf of Mr Samir Ali Khan, Advocate-on-record has appeared for

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respondent no.1- State of Bihar and seeks time to file counter affidavit by next date.

Service is complete on remaining respondents but none appeared nor any steps taken on their behalf.

SLP(C) NO.2315/2011

Respondent Nos. 1 to 5 have already filed counter affidavit on record but without any proper appearance/vakalatnama. Needful be done by next date.

Respondent No.12 has refused to accept notice as per report of the District Court which amounts to due and proper service.

Petitioner to take steps against respondent Nos. 9,13,16 and 17 to 19 as pointed out in the office report.

SLP(C) NO.2316/2011

Respondent Nos. 1 to 5 have already filed counter affidavit on record but without any proper appearance/vakalatnama. Needful be done by next date.

Respondent Nos. 10,11,17 and 21 are reported to be duly and properly served through post but none appeared nor any steps taken on their behalf.

Similarly, respondent Nos. 12 to 14 and 19 are served but neither they appeared nor any steps taken on their behalf.

Respondent Nos. 9,15,18 and 25 are reported to be not residing at the given address as reflected from the report of the District Court.

Respondent No.16 has refused to accept notice which amounts to due and proper service.

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Dasti as well as postal acknowledgment is awaited in respect of respondent Nos. 20,22 to 24. The ld. Counsel for the petitioner to take necessary steps in respect of unserved respondents.

SLP(C) NO.4940/2011

Respondent Nos. 1 to 5 have already filed counter affidavit on record but without proper appearance/vakalatnama. Needful be done by next date.

Respondent Nos. 6 and 7 are reported to be duly served through post but none appeared nor any steps taken on their behalf.

Similarly, respondent Nos. 12 and 13 have refused to accept notice which amounts to due and proper service.

Respondent Nos. 20,28 and 30 are reported to be not residing at the given address.

Status of dasti service as well as postal acknowledgment in respect of respondent Nos. 11,14,19,21 to 23 are still awaited. The ld. Counsel for the petitioner to take necessary steps in respect of unserved respondents.

List again on 11.1.2013.

| | | (M.A.SAYEED) |
| | | REGISTRAR |

hj