

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 S.G. SHAH

Petition(s) for Special Leave to Appeal (Civil) No(s).20353/2010

M/S LUCKNOW SITAPUR EXPRESSWAYS LTD.

Petitioner(s)

VERSUS

STATE OF U.P.& ANR Respondent(s)  
(With appln(s) for exemption from filing O.T. and prayer for  
interim relief)  
WITH SLP(C) NO. 20415 of 2010  
(With prayer for interim relief and office report)

Date: 30/11/2010 This Petition was called on for hearing today.

For Petitioner(s)

Mr. Akshay Verma, Adv.  
Mr. Prashant Chaudhary, Adv.

For Respondent(s)

Mr. Manoj Kumar Dwivedi, Adv.  
Mr. Gunnam Venkateswara Rao, Adv.

UPON hearing counsel the Court made the following  
O R D E R

Affidavit filed by one Mr. Sanjay Kumar and one  
Mr.Uday Pratap Singh on 19.11.2010 discloses that a clerk  
sitting in the DAK Receipt Section of the Civil Secretariat of  
the respondent No.1 has refused to accept the dasti notice.

This is a serious matter. State Authority cannot refuse the  
communication more particularly, when it is a notice from the  
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court for any pending litigation. It is well known that  
majority of the delay in judicial process is only because of  
the non-service of the respondents in time.

In view of such fact, the learned Advocate, who has  
filed appearance for the State has to convey the Chief  
Secretary of the State about the status of notice as reported  
herein and to direct all the concerned to take necessary steps  
for accepting the notice at the earliest.

It must be recollected here that in fact this court has conveyed the Central Government to create a Nodal Agency for acceptance of notices by the Court and in turn Central Government has appointed an officer for accepting notice from the court. Similar exercises are necessary for almost all State Governments.

Considering the above difficulty, repeatedly notices are being ordered to be served through the standing counsel for the State authorities. However, in such process also, because of more than one standing counsel for the concerned State Authorities, it would be difficult to serve the notices through them.

In view of the above situation, it is necessary for the respondents-State to identify a Nodal Agency, may be Resident Commissioner in New Delhi for the State, to accept  
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the notices from the Supreme Court and to transfer it to the concerned Departments to avoid delay in the judicial process. Copy of this order be placed before the main Court as and when matter is listed before the Court for any further directions that may be deemed fit and proper.

Considering the fact filed by the learned Advocate, Mr. G.V. Rao, it is to be considered for both the respondents, since respondent No.2 is Officer of the respondent No.1 - State though there is no proper proof of service upon respondent No.2.

The learned counsel for the petitioner is further requested to file proof of communication of this order to Principal Secretary of the concerned State.

Respondent may file counter affidavit before  
17.1.2011.

(S.G. SHAH)  
REGISTRAR

