

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

BEFORE THE REGISTRAR S.G. SHAH

Petition(s) for Special Leave to Appeal (Civil) No(s).22245/2004

PATNA REGIONAL DEVELOPMENT AUTHORITY
VERSUS

Petitioner(s)

MD. MUSTAQUE & ORS. Respondent(s)
(With prayer for interim relief and office report)

WITH SLP(C) NO. 22726 of 2004
(With prayer for interim relief and office report)
SLP(C) NO. 22935-22936 of 2004
(With prayer for interim relief and office report)
SLP(C) NO. 23105 of 2004
(With prayer for interim relief and office report)

Date: 03/12/2008 This Petition was called on for hearing today.

For Petitioner(s) Ms. Niranjana Singh,Adv.
Mr. B.B. Singh,Adv.
Mr. Gopal Singh,Adv.

For Respondent(s) Mr. B.B. Singh,Adv.
Mr. Ratan Kumar Choudhuri ,Adv
Mr. Amit Pawan,Adv.

UPON hearing counsel the Court made the following
ORDER

Learned Advocate Mr. B.B. Singh appearing on behalf of the petitioner has pointed out that they have received the notice on or about 27th February, 2008 wherein Court's Order dated 31st January, 2008 is not disclosed. He has also pointed out that though there is a specific order on 17.11.2008 by seeking an explanation from the Registry about the status of dasti notice that when it is issued and whether it is provided to the learned Advocate for the petitioner, Registry has failed to forward such explanation to the court till date. It is further stated by him that on approaching the Registry, the staff had, even after pointing out the issues that were raised herein

..2/-

above, stated that they will take care of the issues after 4.11.2008, as the matter is listed on 3.12.2008.

It is further stated by the learned Advocate that they have repeatedly asked for proper dasti notice from the Office from February, 2008 till October, 2008. However Registry has not provided the same till date.

It is further stated that clerk of the learned Advocate has repeatedly approach the Registry but Registry has failed to provide appropriate dasti notice.

However, it is also clear on record that after order dated 31 st January, 2008, Registry was directed to issue dasti notice on 20 th November, 2008. Such notice is received by them on or about 27th February, 2008.

After 31st January, 2008 matter was first time listed on 3rd October, 2008 when this Court has directed the petitioner to verify dasti notice from the Registry with further direction that if it is not received they may take it from the Registry at the earliest with further direction to disclose the outcome of dasti service before 17th November, 2008. It is evident that on 3rd October, 2008 the fact regarding notice dated 20 th February, 2008 was not disclosed by this Court.

Matter was then listed on 17.11.2008 when learned Advocate Mr. Shantanu Mishra appearing on behalf of Mr. B.B. Singh, Advocate has stated that they have not received the dasti notice. Hence an explanation was called for from the Registry regarding status of dasti notice i.e. when it is issued and whether it is provided to the learned Advocate or not.
..3/-

- 3 -

ITEM NO.4

REGISTRAR COURT.2

SECTION XVI

Registry has failed to explain and forwarded the same within a week as per order dated 17.11.2008.

Now, Registry has to explain both the issues:

1. Regarding non-compliance of order dated 17.11.2008 till date.
2. Explain as asked for by an order dated 17.11.2008, before 8.12.2008.

List the matter on 8.12.2008.

(S.G. Shah)
Registrar

MG