

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

BEFORE THE REGISTRAR S.G. SHAH

Petition(s) for Special Leave to Appeal (Civil) No(s).11101/2006

(From the judgement and order dated 23/06/2006 in OSA No. 57/2004 of The HIGH COURT OF A.P AT HYDERABAD)

VIJAYA SHREE

Petitioner(s)

VERSUS

M/S GOLD STONE EXPORTS PVT. LTD. & ORS.
(With prayer for interim relief)

Respondent(s)

WITH SLP(C) NO. 15028 of 2006
SLP(C) NO. 15699 of 2006
(With prayer for interim relief and office report)
SLP(C) NO. 21308 of 2008
SLP(C) NO. 5349 of 2007
SLP(C) NO. 5350 of 2007
(With office report)

Date: 23/03/2009 This Petition was called on for hearing today.

For Petitioner(s) Mr. T.N. Rao,Adv.
Mr. G. Ramakrishna Prasad,Adv.
Mr. Venkateswara Rao Anumolu,Adv.
Mr. Sushil K. Tekriwal,Adv.
Mr. Aribam Guneshwar Sharma,Adv.

For Respondent(s) Mr.Rupesh Kumar,Adv.
Mrs.D. Bharathi Reddy ,Adv
Mr. T.Raja ,Adv.
Mr.Rupesh Kumar,Adv.

UPON hearing counsel the Court made the following
ORDER

Unserved respondents are common in some of the SLPs. In view of the fact that unserved respondent could not be served, Petitioner in SLP(C) No. 11101/2006 has served such respondent by public notice.

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Considering this fact petitioner in SLP(C) No. 21308/2008 was ordered to serve notice for unserved respondent either by dasti or by publication, by order dated 5th January, 2009. By I.A. No. 7 petitioner in SLP(C) No. 21308/2008 wants to recall such order stating that they have not prayed for public notice. Dasti notice was issued only on 31st January, 2009.

Since unserved respondent could not be served by the petitioner in SLP(C) No. 11101/2006, petitioner in SLP(C) No. 21308/2008 has to verify the fact about such unserved respondent and if they could not be served till date by dasti notice, petitioner has to serve such respondent by public notice. In the alternate, if so desire, they may have to delete them as being selected by the petitioner in SLP(C) No. 15699/2006. For the purpose, petitioner in SLP(C) NO. 15699 of 2006 has filed an application for deleting unserved respondents which is yet to be listed before the Hon'ble Chamber Judge, for which specific direction is there in order dated 16th March, 2009 to list such application before the Hon'ble Chamber Judge irrespective of remaining matters before this Court.

Registry has to comply with the above order, without fail, in view of the fact

that at least one of the SLP is to be listed before the Hon'ble Chamber Judge for adjudication of an application for deleting unserved respondent.

As a last chance, petitioner in SLP(C) NO. 21308 of 2008 has to confirm service by appropriate mode i.e. either by dasti or by publication, before 23 rd April, 2009.

List the matter on 23rd April, 2009.

(S.G. Shah)

Registrar

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