

Listed On 26.9.2014

Court No. 2

Item No. 5

SEC.IVA

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL)NO. 27853 OF 2012.
WITH PRAYER FOR INTERIM RELIEF
WITH
INTERLOCUTORY APPLICATION NO. 2
(Application for stay)

Ajay Gupta

...Petitioner

Versus

Raju @ Rajendra Singh Yadav

...Respondent

OFFICE REPORT

The matter above mentioned was listed before the Hon'ble Court on 12.10.2012, with an Office Report dated 10.10.2014 when the Court was pleased to pass the following Order:

"Issue notice. "

Accordingly, notice was issued to the sole Respondent on 19.10.2012, through registered A.D. post. Neither A.D cards nor unserved cover has been received in respect of sole respondent.

It is submitted that counsel for petitioner has on 9.1.2013, filed an application for stay and the same has been registered as Interlocutory application No. 2..

The application for stay in the matter above mentioned was listed before the Hon'ble Court on 01.03.2013, with an Office Report dated 26.2.2013 when the Court was pleased to pass the following Order:

"Issue notice

In the meantime, while the Trial Court is free to proceed with the trial of the suit, it will not pass any final judgment in the matter pending further orders in this case. "

Accordingly, notice was issued to the sole Respondent through registered A.D. post and also through Trial Court on 02.01.2014. Service report has been received from the High Court stating that the notice has been served upon the sole Respondent on 3.1.2014, but no one has appeared on behalf of sole Respondent.

Thereafter, the matter was listed before the Ld. Registrar on 9.7.2014 with an office report dated 8.7.2014, when he was pleased to pass the following Order :

“Service is complete on the sole respondent but no one has put in appearance.

Registry to process the matter for listing before the Hon'ble Court as per rules.”

It is submitted that Mr. Harsh Vardhan Surana, Counsel for the petitioner has on 24.9.2014 filed a letter date 24.9.2014(Copy enclosed) after the generation of cause list requesting for adjournment for two weeks as the arguing counsel is in personal difficulty.

The matter above mentioned is listed before the Hon'ble Court with this Office Report.

Dated this the 25th day of September , 2014.

ASSISTANT REGISTRAR

Copy to: Mr. Harsh Vardhan Surana, Advocate

ASSISTANT REGISTRAR