

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).25388/2011

RATTAAN BAI & ANR

Petitioner(s)

VERSUS

RAM DASS & ORS.

Respondent(s)

(With prayer for interim relief and office report)

Date: 14/11/2011 This Petition was called on for hearing today.

For Petitioner(s)

Mr. K.R. Anand, Adv.

Mr. Vinay Garg, Adv.

For Respondent(s)

Mr. Nirnimesh Dube, Adv.

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

The learned Advocate, appearing on behalf of Mr.

Nirnimesh Dube confirms that they are appearing for respondent

Nos.1 to 3.

Registered cover of respondent Nos.2 and 3 has been received back. So, there is no reason to wait for the acknowledgment from the remaining respondents.

Let there be a fresh notice upon the remaining unserved respondents, which is permitted to be served through nearest civil court or trial court, that court is permitted to

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confirm service upon such respondents even by affixing the same at the given address, even if it could not be served in due course.

It is unfortunate that the learned counsel for the petitioner does not want to agree to confirm service by dasti mode and pressing to enquire from the postal authorities only that what happened to the previous notices. The fact remains that the original matter is pending before the Trial Court and

in that case it would be very easy for the petitioner to confirm service of notice through the trial court in such litigation which must be adjourned to certain date. It is also clear that the unserved respondents are plaintiff before the trial court and therefore, fresh notice can be easily served through trial court or even through their Advocate before the trial court.

Process fee and spare copies are to be paid/filed on or before 25.11.2011.

If process fee and spare copies are not paid/filed before 25.11.2011, list before the Hon'ble Judge in Chambers for non-prosecution.

If process fee and spare copies are paid/filed before 25.11.2011, issue notice, as per the above order.
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List again on 15.12.2011.

Served respondents may file counter affidavit till then.

(S.G. SHAH)
REGISTRAR

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