

SECTION XVI

LISTED ON: 27.01.2017
COURT NO.: 8 (CHAMBER)
ITEM NO. : 12

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO. 39806 of 2013
(With prayer for interim-relief)

DEVENDRA KUMAR

...PETITIONER

Versus

AMARENDRA KUMAR AND ORS.

...RESPONDENTS

REVISED OFFICE REPORT FOR DIRECTIONS

The matter above-mentioned was listed before the Hon'ble Court on 10.08.2015 when the Court was pleased to pass the following order:

*"Delay condoned.
Issue notice."*

There are six respondents in this matter i.e. Respondent nos.1 to 3 and 4(A) to 4(C).

It is submitted that Mr. Gaurav Agrawal, Advocate has on 07.11.2016 filed vakalatnama on behalf of respondent no.1 but no counter-affidavit has been filed, so far. Unserved cover containing notice has been received from respondent no.2 with remarks "Always not met".

It is further submitted that as per the postal tracking report "Item Delivered" in respect of Respondent nos.3 and 4(A), 4(B) and 4(C) (Lrs. Of deceased respondent no.4) but no one has entered appearance on their behalf, so far.

The matter was listed before the LD. Registrar's Court from time to time and lastly listed on 09.12.2016 when the LD. Registrar was pleased to pass the following order:-

"Ld. Counsel for the petitioner has failed to file the fresh particulars and to take fresh steps for the service of notice to the respondent No.2 despite opportunities. Viewed in that context, the matter shall be processed for listing before the Hon'ble Judge in Chambers for further directions. Await orders. List thereafter."

It is lastly submitted that the counsel for the petitioner has only on 16.01.2017 filed a letter providing fresh particulars of respondent no.2. But she has still not filed spare copy for issuance of notice on respondent no.2 despite opportunities given by LD. Registrar

vide orders dated 30.09.2016 and 10.11.2016 (Copy of letter is enclosed).

The matter is listed before the Hon'ble Judge-in-chamber with this Office report for directions.

Dated this the 17th day of January, 2017.

ASSISTANT REGISTRAR

Copy to: Ms. Uttara Babbar, Advocate
Mr. Gaurav Agrawal, Advocate

ASSISTANT REGISTRAR