

SECTION XVII

MATTER FOR :
C. COURT :
ITEM NO. :

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1882 OF 2011

Tamilnadu Electricity Board	VERSUS	... Appellant
Central Electricity Regulatory Commission and Ors.		... Respondents

OFFICE REPORT ON DEFAULT

The matter above-mentioned was listed before the Hon'ble Court on 14th February, 2011, when the Court was pleased to pass the following order:-

**"Issue notice on the application for condonation of delay as also on this Civil appeal.
No stay."**

It is submitted that there are Five respondents in the matter. Respondent No. 2 is represented through Mr. K.R. Sasiprabhu, advocate and he has also filed counter affidavit. Duly signed A.D card has been received in respect of Respondent Nos. 1,4 & 5 but no one has entered appearance and not filed counter affidavit so far. Neither A.D card nor unserved cover has been received in respect of Respondent No. 1. The service of notice is incomplete in the matter.

The matter above-mentioned was listed before the Ld. Registrar Court on 14th January, 2015, when the Court inter-alia passed the following order:-

"...Fresh steps for the service of notice by usual mode to the unserved respondent No. 3 shall be taken by the Ld. Counsel for the petitioner within a period of three weeks. Dasti in addition is permitted to be served through the Ld. Standing counsel representing the State of Karnataka..."

It is further submitted that notice has been issued to the Respondent No. 3 by usual mode as well as Dasti was handed over to the counsel for the appellant. Neither A.D. card nor unserved cover has been received back and also counsel for the appellant has not filed the proof of dasti service in respect of Respondent No. 3 so far. The service of notice is not complete in the matter.

The matter above-mentioned was again listed before the Ld. Registrar Court on 18th September, 2015, when the Court passed the following order:-

"The office report indicates that although by order dated 13.7.2015 of this Court four weeks time as last chance was given to the Learned Counsel for the appellant for filing the affidavit in proof of dasti service of notice issued to the respondent No. 3, yet he has not done the needful within the period stipulated in the order. Viewed in that context, the matter shall be processed for listing before the Hon'ble Judge in Chambers for further future directions. Await orders. List thereafter."

It is submitted that counsel for the appellant has not filed the proof of dasti service in respect of respondent No. 3 so far. The service of notice is incomplete in respect of Respondent No. 3 in the matter.

The default of the advocate in the above-mentioned matter is listed before the Hon'ble Judge in Chamber with this office report.

DATED THIS THE 28TH DAY OF SEPTEMBER, 2015.

ASSISTANT REGISTRAR

Copy to : Mr. Naresh Kumar, Advocate
Mr. K.R. Sasiprabhu, Advocate

ASSISTANT REGISTRAR