

**SECTION-XVI**

**LISTED On:09.09.2015**

**COURT No.:R-1**

**ITEM No. :3**

**IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION**

**PETITION FOR SPECIAL LEAVE TO APPEAL (C) No. 25435 Of 2008**

**(With Prayer for Interim Relief)**

Mannu Prasad Singh ... Petitioner  
Versus  
Union of India & Ors. ... Respondents

**OFFICE-REPORT**

The Hon'ble Court has on 29.09.2008 directed notice and there are Four respondents in this matter. Initially show cause was issued to all Four respondents and neither AD card nor unserved cover containing show cause notice from all Four respondents have been received back.

The matter was time to time listed before the LD. Registrar's Court and vide order dated 07.10.2010 of LD. Registrar an Office-Report on Default for not taking steps for service on all 4 respondents was listed before Hon'ble Judge-in-Chamber on 18/11/2010 when His Lordship was pleased to pass the following Order: -

***"Notice was issued in this matter on 29<sup>th</sup> September, 2008 and status quo Order was granted.***

***As service was not complete on Respondent Nos. 1-4, the matter was again and again listed before the Registrar or Learned Chamber-Judge since 1<sup>st</sup> September, 2009 but needful has not been done till today and Petitioner is enjoying the Order of status quo. Even, the Counsel for the Petitioner is not present today in the Court. It appears that the Counsel for the Petitioner is not inclined to pursue the matter.***

***The Special Leave Petition is dismissed."***

And Application for Restoration and Condonation of Delay in filing application for restoration was listed before Hon'ble Judge-in-Chamber on 27/04/2012 when Her Lordship was pleased to pass the following Order: -

***"Issue notice both on the restoration application and on the application for condonation of delay in filing the restoration application, returnable in eight weeks.***

***Counsel for the petitioner is permitted to serve respondent nos. 1 to 3 through Central Agency.***

***In the meantime, counsel for the petitioner may file appropriate application for substituted service in respect of respondent no.4."***

The applications were time & again listed before Hon'ble Judge-in-chamber for compliance of service on all 4 respondents. In respect of Respondent Nos. 1-3, Counsel has filed proof of service on Central Agency Section.

And an Office-Report on Default for not filing proof of publication of show cause notice on Respondent No. 4 was listed before Hon'ble Judge-in-Chamber on 21/08/2014 when His Lordship was pleased to pass the following Order: -

***"Earlier, the special leave petition was dismissed for default and an application for restoration was filed. By order dated 27.04.2012 notices were issued on the restoration application and also on the application for condonation of delay in filing restoration application. By the same order, the petitioner was also directed, in the meantime, to file an application for substitution in respect of respondent No. 4. Again on 19.11.2012, four weeks time was allowed for filing spare copies of applications for restoration and condonation of delay in filing application for restoration. Again the matter was listed on 27.08.2013 and the case was called out twice but no one appeared and the case was adjourned for four weeks. Again the matter was placed on 4.10.2013 and two weeks time was allowed for complying with the order subject to payment of cost of Rs. 1,000/-. Even then the order was not complied with. The matter was finally placed on 21.02.2014 and four weeks further time was allowed for filing proof of publication of show case notice on respondent No.4.***

***Till date, the order and direction of this Court have not been complied with. Hence, the special leave petition is dismissed for non prosecution as against respondent No.4."***

Accordingly Cause Title has been amended accordingly.

Service of show cause notice on remaining Respondent Nos. 1-3 in application for restoration & condonation of delay in filing application for restoration is complete.

AND an Office-Report for direction with IA Nos.2 & 3 (applications for restoration and condonation of delay in filing

restoration) were listed before Hon'ble Court on 13.02.2015 when the Court was pleased to pass the following order:-

***"Application for Restoration is allowed. Special leave Petition is restored to its original number. Petitioner is also permitted to serve notice through the Trial Court."***

It is submitted that counsel for the petitioner has not filed spare copies for service of notice on respondent nos.1-3 by usual course alongwith address of Trial Court for service through Trial Court despite Registry's letter dated 19.02.2015.

Service of notice on respondent nos.1-3 is incomplete. Respondent no.4 is already deleted vide order dated 21.08.2014 of Hon'ble Judge-in-chambers.

The matter is listed before the LD. Registrar's Court with this Office-Report.

Dated this the 7th day of September, 2015.

**Assistant Registrar**

**Copy to:** - Mr. Amit Pawan, Advocate

**Assistant Registrar**

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