

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 B.SUDHEENDRA KUMAR

I.A. No. 3 IN CIVIL APPEAL NO(s). 4393 OF 2004

ALLAHABAD DEVELOPMENT AUTHORITY

Appellant (s)

VERSUS

RAMA SHANKAR SINGH & ORS.

Respondent(s)

(For substituted service and office report)

Date: 03/05/2006 This Appeal was called on for hearing today.

For Appellant(s)

Mr. Chander Shekhar Ashri, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

This is an application praying for issuing substituted service of notice by publication in

respect of respondent No.1.

Heard. I have also perused the application. It is averred in the application that despite

the earnest efforts taken by the appellant to serve notice on respondent No.1, notice could not

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served as respondent No.1 had left the address. The records would also show that attempt was

made to serve the notice through the process server. However, notice could not be served on

respondent No.1 as he had left the house. Having carefully gone through the averments in the

application in the light of the submission of the learned counsel for the petitioner, I am satisfied that

this petition has been filed on the sole reason that notice could not be effectively served on

respondent No.1 under normal mode of service. It

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is further borne out from the application that the newspapers, 'Indian Express' and 'Dainik Jagran' are

having wide circulation in the State of Uttar Pradesh where respondent No.1 has his permanent

address.

Having bestowed my anxious consideration on the averments, I am convinced that this

petition is liable to be allowed. Accordingly, I allow this application with a further direction that notice

on respondent No.1 be served by affixation in the last known address of respondent No.1 as well. In

the result, it is ordered that notice on respondent No.1 be effected by publication in the 'Indian

Express' and 'Dainik Jagran' dailies. The process shall be given as dasti to the petitioner who shall file

affidavit in proof of publication along with the newspapers within four weeks. The process for

affixation shall be sent to the District Judge concerned.

List after four weeks.

(B.SUDHEEN

DRA KUMAR)

Registrar

hj