

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

TRANSFER PETITION (CIVIL.) NO(s). 1333 OF 2009

RIVZVANA BEGAM Petitioner(s)

VERSUS

BABUPATEL Respondent(s)

(With appln(s) for stay and office report )

Date: 09/12/2010 This Petition was called on for hearing today.

For Petitioner(s) M/S. Lawyer'S Knit & Co,Adv.

For Respondent(s)

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

It is unfortunate that the learned Advocates are not taking care of the matter more particularly for confirming service.

In the present case, the proceeding before the Trial Court is stayed by order dated 15.12.2009 thereby at least two proceedings are pending before two different Courts because of the non-action on the part of the petitioner herein.

Matter was repeatedly listed before the Registrar's Court when appropriate orders were passed.

Even in May, 2010, the Hon'ble Court has ordered to issue fresh notice.

By order dated 8.7.2010 specific direction was given to serve notice through the Trial Court but because respondent was not remaining present before the Court, no notice could be issued in absence of process fee and spare copies.

Ultimately the Hon'ble Judge in Chambers has granted two weeks' time in October, 2010 with permission to serve notice by dasti mode also.

Now, the learned Advocate appearing on behalf of the petitioner states that they are unable to contact the litigant and therefore, notice could not be served.

Order and record of proceeding of Court are regularly being uploaded on Internet within 48-72 hours maximum.

Certified copies are also available in reasonable time.

It is the duty of the learned Advocate for the petitioner to verify all those orders and to take followup actions.

In the present case, no actions are taken for different orders.

In view of the above facts, matter is required to be listed before the Hon'ble Judge in Chambers.

However, in view of the specific order by the Hon'ble Judge in Chambers to issue notice and since the registered letter is received back with endorsement that respondent is not available at the given address, as last chance, petitioner

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is directed to pay additional process fee with additional copies of pleadings on or before 13.12.2010.

If not paid, list before the Hon'ble Judge in Chambers for non-prosecution.

If paid, issue notice as per order dated 8.7.2010 i.e., through the Trial Court.

List again on 10.2.2011.

(S.G.SHAH)  
Registrar

hj