

BEFORE THE REGISTRAR S.G. SHAH

Petition(s) for Special Leave to Appeal (Civil) No(s).24888/2008

SHAILESH KUMAR MISHRA

Petitioner(s)

VERSUS

STATE OF U.P. & ORS.

Respondent(s)

(With prayer for interim relief)

Date: 19/03/2009 This Petition was called on for hearing today.

For Petitioner(s)

Ms. Neha Goyal, Adv.  
Ms. Garima Prashad, Adv.

For Respondent(s)

Mr. R.D. Upadhyay, Adv.

UPON hearing counsel the Court made the following  
ORDER

There is no proper proof of service upon unserved respondent No.1. Dasti service is allowed on 20-10-2008. Sufficient time was granted and as a last chance, petitioner was to disclose the outcome of dasti service on 20-2-2009. It seems that petitioner has sent dasti notice by Registered Post AD on 21-2-2009 only. With an affidavit dated 18-3-2009, postal receipt regarding sending the notice by Registered Post AD is filed and there is no proof of service on record upon unserved respondent No.1.

There is an interim stay order in favour of the petitioner.

In view of the above facts, no further time can be granted to the petitioner to confirm the service upon unserved respondent No.1. However, since served respondent wants time to file counter affidavit, as a last chance, petitioner has to confirm the service upon unserved respondent No.1. before 23-4-2009. Additional dasti service is allowed which is permitted to be served through the Standing Counsel for State. Served respondents may file counter affidavit till then.

List the matter on 23-4-2009.  
(S.G.SHAH)

va Registrar