

**SECTION – XVI**

MATTER FOR : 11.08.2014  
LD. REG. COURT NO. : 2  
ITEM NO. : 5

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

**CIVIL APPEAL NOS. 3782-3783 OF 2010**

**SITA DEVI @ SITA DEVI (DEAD) THR. LRS.**

**... APPELLANTS**

**- VERSUS -**

**STATE OF BIHAR & ORS.**

**... RESPONDENTS**

**OFFICE REPORT**

This is the appeal by special leave granted by this Hon'ble Court on 23<sup>rd</sup> April, 2010.

It is submitted that there are seventeen respondents in matters above mentioned. Service of Notice is complete on Respondent No. 1-3 & 4-17 at SLP stage but no one has entered appearance on his behalf so far. Respondent No. 4 is dead and Counsel had filed Application for Substitution to bring on record L.Rs. of deceased Respondent No. 4 which was listed before the Hon'ble Judge-in-Chamber on 15.04.2014.

When the Court was pleased to pass inter alia the following order:

xxx

xxxx

xxx

*“Issue notice to the proposed L.Rs. of deceased respondent No. 4, returnable in six weeks.”*

It is submitted that notice was issued to L.Rs. of deceased Respondent No. 4 and as the service is incomplete on the L.Rs. The matter was listed before the Chamber-in-Court and Registrar's Court time to time and lastly listed before the Hon'ble Chamber-in-Court on 03<sup>rd</sup> November, 2015, when his Lordship was pleased to pass the following Order:

*“Despite opportunity being granted to the granted to the petitioner to effect service on respondent no. 4 by dasti, he failed to do so.*

*In the light of the order passed earlier, the petitioner is permitted to effect service through District Court Saran, Chapra, Bihar as well as through dasti. Steps be taken in that behalf.*

*Matters be listed for orders as far as respondent No. 4 is served, as directed.”*

Accordingly, Notice was issued to L.Rs. (i) to (iii) of deceased Respondent No. 4 on 18.11.2015 through Disstt. Judge Chapra, and service report has been received from Disstt. Judge Chapra stating therein that notice could not be served on the above L.Rs. as they were not present at the address mentioned on notice. Counsel for the Appellant was asked vide Registry's letter dated 08.06.2016 to provide the fresh Address of the L.Rs. of deceased Respondent No. 4. But needful has not done so far.

Service is not complete in respect of L.Rs. of deceased Respondent No. 4, so far.

The matter is listed before the Ld. Registrar's Court with this Office report.

DATED THIS THE 9<sup>th</sup> DAY OF AUGUST, 2016.

ASSISTANT REGISTRAR

Copy to:- Mr. Rajiv Shankar Dvivedi, Advocate  
Mr. Adarsh Upadhyay, Advocate

ASSISTANT REGISTRAR