

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). 4 OF 2009

UNION OF INDIA

Petitioner(s)

VERSUS

SALT PRODUCERS MANUFA.& MERCHANTS ASSO.

Respondent(s)

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

Date: 19/08/2010

This Petition was called on for hearing today.

For Petitioner(s)

Mr Fuzail Ayyubi, Adv.
Ms. Sushma Suri,Adv.

For Respondent(s)

Mr. Prashant Bhushan, Adv.

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

It is absolutely unfortunate that even after repeated observations, Advocates appearing before this Court do not have the information about their own case and they are not in a position to see that how the proceedings can be completed at the earliest or how service can be completed on unserved respondents at the earliest.

In the present case, there is specific order to the petitioner, Union of India, to serve unserved respondent by dasti.

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Order of dasti service is to be passed regularly and repeatedly only because of the fact that postal services of the petitioner, Union of India is not effective and notices could

not be served in time in most of the cases wherein we are not getting acknowledgment back or even unserved RPAD envelope cover back in the registry, so as to confirm outcome of registered post.

In the present case, there is a stay since 12.1.2009.

Petitioners being Union of India and Government of Andhra Pradesh through its Principal Secretary having its office at the Secretariat Hyderabad, can very well serve the respondent whose office is in Hyderabad only, and when two addresses of Hyderabad only are disclosed in the SLP for such sole respondent.

It is also clear that sole respondent is an Association, its details are very well within the knowledge and control of petitioner No.2 and therefore, practically it can be easy task for petitioner No.2 to confirm service on sole respondent at the earliest.

It seems that no steps are taken to confirm service with any seriousness till date.

Matter is being repeatedly listed before this Court on several dates.

On some date, petitioner has not paid process fee, on several occasion petitioner could not chase service activity.

To see that notice should be served at the earliest on last occasion i.e., on 6.7.2010, petitioner is also permitted

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to serve dasti even by affixing the same at the last reported address with the help of the nearest Civil Court.

In view of such permission granted by this Court, today the learned Advocate appearing for the petitioner states that it is for the Trial Court to confirm service and they have no answer to confirm the service and that why notices are not served till date though the matter is pending since January, 2009 for confirmation of service only.

As last chance, petitioner has to confirm service by

dasti on or before 1.9.2010.

If it is not done and if proof of service not filed before 1.9.2010, list the matter before the Hon'ble Judge in Chambers for non-prosecution after 1.9.2010 without waiting for any further order from this Court.

(S.G. SHAH)
Registrar

hj