

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

Petition(s) for Special Leave to Appeal (Civil) No(s).34970/2011

SANT LAL

Petitioner(s)

VERSUS

UNION OF INDIA & ANR.

Respondent(s)

(With prayer for interim relief and office report)

Date: 13/02/2012

This Petition was called on for hearing today.

For Petitioner(s)

Ms. Shomila Bakshi, Adv.
Ms. Kamini Jaiswal, Adv.

For Respondent(s)

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

The learned Advocate-on-Record, Ms. Nanita Sharma states that she has to appear for respondent No.2. It is their say that petitioner has wrongly disclosed the Chandigarh address of the respondent and, therefore, they may not be served in time. However, the fact remains that address of respondent No.2 in the impugned order is that of Chandigarh only and therefore, even if such litigant has disclosed alternate address of Lucknow in the rejoinder affidavit that might have been filed by the High Court, unless such address Item No.75 -2-

is properly recorded in the cause title of the High Court the same may not be taken into consideration while filing SLP before this court. However, in view of the above fact, petitioner is directed to amend the cause title suitably so as to disclose the correct address of respondent No.2 on record. At this stage, learned counsel for the petitioner is objecting that in absence of proper information and in absence of proper verification they may not be able to change the address. The fact remains that it has been disclosed at Bar by the learned

Counsel for the respondent No.2 that they have filed rejoinder affidavit before the High Court disclosing that their residential address is that of Lucknow only. In view of such fact, it is the duty of the petitioner before this court to disclose in the memo of SLP before this Court both the addresses i.e. which is on record in the form of cause title before the High Court and the correct address that may be disclosed before any proceeding before any court.

It has been also pointed out that even House No. of respondent No.2 in Special Leave Petition is not properly stated since the actual House No. at Chandigarh is 357, but the same is stated in the cause title as House No.537.

Therefore, in any case though we may not enter into above controversy, the fact remains that the petitioner has to
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take appropriate action so as to disclose the correct address of respondent No.2 to see that respondent is duly served.

The learned Advocate, Mr.Anil Gaur, appearing on behalf of Mr. B.K. Prasad, Advocate-on-Record states that he is appearing for respondent No.1 and seeks time to file vakalatnama and counter affidavit on behalf of the said respondent.

Learned counsel for the petitioner has to provide additional copy of the pleadings to both respondents within a week against proper acknowledgment which is to be filed on record to avoid issuance of further notice.

Served respondents may file counter affidavit before the next date.

List again on 29.3.2012.

(S.G. SHAH)
REGISTRAR