

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). 1151 OF 2008

REENA KUMARI @ REENA DEVI

Petitioner(s)

VERSUS

SAVINDER KUMAR

Respondent(s)

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

Date: 16/11/2010 This Petition was called on for hearing today.

For Petitioner(s)

Mr. Navin Prakash, Adv.

For Respondent(s)

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

Notice of respondent could not be served even after repeated attempts by the registry.

When notices were sent by registered post with acknowledgment due, all the notices have been returned back with an endorsement that addressee has left without address.

Therefore, on 10.6.2010, notice was forwarded to the Additional District and Sessions Judge, Room No.17, Tis Hazari Courts, Delhi for confirming service on unserved respondent who has filed HMA No.442/2008 before such Court and which was stayed by an order dated 6.11.2008 by the Supreme Court.

Therefore, it is very much clear that HMA No.442/2008 though stayed is pending before such Additional District and

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Item No.8

Sessions Judge of Tis Hazari Courts .

In view of such fact, the Trial Court can certainly serve notice upon the respondent herein who is petitioner

before that Court either by process server or through the Advocate who has appeared for such litigant before that Court.

If at all such notice could not be served upon the respondent then, the Trial Court has to take appropriate steps as provided under CPC for non-disclosure of proper address by the petitioner before it.

Copy of this order be forwarded to such Court for taking necessary action in view of endorsement by the process server on notice dated 4.6.2010, photocopy of which should be forwarded with such letter.

Trial Court is requested to take necessary steps at the earliest and to report the outcome on or before 14.12.2010.

Trial Court may serve notice either by affixing the same at the given address in absence of disclosure of proper address by the petitioner or through his Advocate or shall take appropriate steps as provided under CPC as explained herein above.

(S.G.SHAH)
Registrar

hj