

SUPREME COURT OF INDIA

RECORD OF PROCEEDINGS

BEFORE THE REGISTRAR S.G. SHAH

Petition(s) for Special Leave to Appeal (Crl) No(s).8849-8850/2008
RAM KUMAR & ANR. Petitioner(s)

VERSUS

STATE OF PUNJAB & ANR.

Respondent(s)

Date: 13/04/2009 These Petitions were called on for hearing today.

For Petitioner(s)

Mr. Surya Kant,Adv.

For Respondent(s) Mr. K.K. Mahalik,Adv.

Mr. Kuldip Singh,Adv.

UPON hearing counsel the Court made the following

ORDER

Learned counsel for the petitioners is pressing to list the matter before the Hon'ble Court saying that they are unable to serve unserved respondent No.2, since respondent No.2 refused to accept notice. There are certain provisions in the Code of Civil Procedure to

confirm service in such case. Petitioners have to take appropriate steps to confirm service upon unserved respondent No.2. This court cannot direct to list the matter before the Hon'ble court without confirming service upon unserved respondents.

Now Learned counsel for the petitioners is requesting for fresh dasti notice which is to be issued on or before 18.4.2009. Petitioners may take help of the nearest civil court/trial court for confirming dasti service upon unserved respondents. For the purpose, copy of this order be forwarded to the concerned civil court/trial court. The Process Server of the concerned court is directed to affix the notice at the given address; if it could not be served in due course and to file proper report as provided under the Code of Civil Procedure.

In view of the fact disclosing in the service affidavit regarding status of unserved respondent No.2, petitioners have to disclose the correct address of unserved respondents where notices are to be served with details of the nearest civil court/trial court through which they want to confirm the service.

List the matter on 27.4.2009.

(S.G.SHAH)

Registrar