

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

I.A.NO.4 IN WRIT PETITION (CIVIL) NO(s). 113 OF 2011

BEFORE THE REGISTRAR S.G. SHAH

FERTILE LAND PROTECTION MOVEMENT & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

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

Date: 16/04/2012 This Petition was called on for hearing today.

For Petitioner(s)

Mr Shubhashis R Soren, Adv.
Mr. R.C. Kohli, Adv.

For Respondent(s)

Mr. Ravindra Bana, Adv.
Mr C.K.Sharma, Adv.
Mr. D.S. Mahra ,Adv
Mr. Devashish Bharuka ,Adv.
Ms S Usha Reddy, Adv.
Ms Sushma Suri, Adv.

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

The ld. Advocate, Mr Shubhashis R Soren appearing on behalf of Mr R.C.Kohli states that they could not file proof of service because they lost the acknowledgment. On inquiry he says that the said respondent No.2 is not served and on further inquiry that who is respondent No.2, it is his statement that it is some Ministry.

In view of such position, there is no option but to list for non-prosecution before the Hon'ble Judge in Chambers in view of Order XLV Rule 8 of the Supreme Court Rules

Item No.1

considering the following facts; the Court has issued notice on 4.4.2011. Matter was adjourned thereafter repeatedly for

confirming service. Unserved respondent is Ministry of Central Government. Therefore, it would be easy for

confirming service upon them through the standing counsel.
Matter was adjourned on many occasion before the main Court
but at no point of time, petitioner has ever bothered to
confirm that notice on respondent No.2 is unserved. By order
dated 4.1.2012, Court has issued fresh dasti notice upon
respondent no.2 returnable in eight weeks and in addition to
ordinary process Court has also permitted dasti service.
Thereafter nobody was present for the petitioner on 12.3.2012
when time was granted as last chance to the petitioner to
file proof of service on unserved respondent till date. Today
proof of service is not filed and above statement is made by
the ld. Counsel for the petitioner.

Considering the fact that petitioner has failed to
chase the process of unserved respondent and failed to
confirm service upon known Government agency for more than
six months, there is no option but to list for non-
prosecution before the Hon'ble Judge in Chambers as per
Supreme Court Rules.

List before the Hon'ble Judge in Chambers for non-
prosecution.

(S.G.SHAH)
REGISTRAR

hj