

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

BEFORE THE REGISTRAR S.G. SHAH

Petition(s) for Special Leave to Appeal (Civil) No(s).22470/2007

(From the judgement and order dated 01/10/2007 in FA No. 512/2007 of The NATIONAL CONSUMERS DISPUTES REDRESSAL COMMISSION, NEW DELHI)

SIRIPURAPU SHANKAR

Petitioner(s)

VERSUS

CONSUMER INT. PROT. RES. ASSCN. & ORS.  
(With prayer for interim relief )

Respondent(s)

WITH SLP(C) NO. 1289 of 2008  
(With prayer for interim relief and office report)

SLP(C) NO. 22997 of 2007  
(With prayer for interim relief and office report)

Date: 12/02/2009 This Petition was called on for hearing today.

For Petitioner(s) Mr. Aniruddha P. Mayee,Adv.  
Mrs Sarla Chandra,Adv.  
Mr. Hiren Dasan,Adv.  
Mr. Aniruddha P. Mayee,Adv.

For Respondent(s) Mr. D. Mahesh Babu,Adv.  
Mrs. Anjani Aiyagari ,Adv  
Mr. Venkateswara Rao Anumolu,Adv.  
Mr. Prabhakar Parnam,Adv.  
Mr. K.L. Taneja,Adv.  
Mr. Rajat Sharma,Adv.  
Mr. D. Mahesh Babu,Adv.

UPON hearing counsel the Court made the following  
ORDER

Learned Advocate for the petitioner is requesting to serve the notice upon unserved respondent through the Civil Court.

..2/-

- 2 -

There is an order dated 13th January, 2009 directed the petitioner to chase the notice of Respondent No.2 through the Civil Court. There is no confirmation of service upon unserved respondent till date. Learned Advocate appearing on behalf of Respondent No.1 is referring Page Nos. 72 and 73 of Paper Book at Annexure P-6 which is collectively filed on record by the petitioner itself. Therein the State Consumer Dispute Redressal Commission, New Delhi has observed as under:

"In view of the above statement on behalf of Preeti U. Rumade and Ulhas D. Rumade the present execution stands satisfied against the above said persons and the above-mentioned respondents are discharged."

Such observation is referred in Para No. 3 and 4 by respondent in his affidavit filed on 9th January, 2009.

Thereby it is certain that Respondent No.1 is the original complainant and the present petitioner as well as unserved respondent No. 2 were original respondent in the complaint under the Consumer Act. Unserved respondent No.2 has paid the amount as per the order of the Consumer Forum and thereby State Commission has discharged them.

..3/-

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ITEM NO.17

REGISTRAR COURT.2

SECTION XVI

In view of the above fact, since the matter is pending for affecting service for more than a year, let the matter be listed before the Hon'ble Chamber Judge for appropriate orders against unserved respondent No.2, as the petitioner has failed to confirm service upon unserved respondent till date.

As a last chance, Respondents in SLP(C) No. 22470/2007 and SLP(C) No. 22997 of 2007 may file Counter Affidavit, before 19th March, 2009.

List the matter on 19th March, 2009.

(S.G. Shah)  
Registrar

\*MG.