

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

BEFORE THE REGISTRAR S.G. SHAH

Petition(s) for Special Leave to Appeal (Crl) No(s).2814/2010

RAM NIWAS NIGAM & ORS.

Petitioner(s)

VERSUS

STATE OF M.P.& ANR.

Respondent(s)

(With appln(s) for c/delay in filing SLP,c/delay in refileing
SLP,exemption from filing c/c of the impugned order and office report)

Date: 14/02/2012 This Petition was called on for hearing today.

For Petitioner(s)

Mr D.K.Pandey, Adv.
Mr. Amit Pawan,Adv.

For Respondent(s)

Mr Vikrant Singh Bais, Adv.
Ms. Vibha Datta Makhija,Adv.

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

Registry has to explain in writing to the undersigned
that why matter has not been taken care of since 24.11.2011
till date.

Respondent no.2 is unserved. Order to issue notice is
dated 11.2.2010. More than two years has lapsed. Further
proceeding in Case no.29/2009 pending in the Court of
Magistrate, First Class, Sagar District was stayed since
11.2.2010 on condition that petitioner deposited Rs.
15,000/-. Thereafter for the last two years petitioner has
failed to take appropriate steps to confirm service upon
unserved respondent no.2, only contesting respondent since

-2-

Item No.12

respondent No.1 is State authority. The record shows that in
addition to the present criminal litigation, some other
proceeding under the HMA are also pending between the
parties. In view of such fact, it would be easy for the

petitioner to confirm service through such Trial Court. No steps are taken to confirm service till date.

If petitioner fails to file proof of service before 22.3.2012, matter shall be listed before the Hon'ble Judge in Chambers for non-prosecution without waiting for any other formalities from this Court.

For confirming service, let there be fresh notice with dasti service which is permitted to be served through the nearest Civil Court/Trial Court if spare copies are filed before 23.2.2012 else list before the Hon'ble Judge in Chambers for non-prosecution.

If notice is issued, list again on 22.3.2012.

Served respondents may file counter affidavit till then.

(S.G.SHAH)
REGISTRAR

hj