

SUPR EME COUR T OF I ND I A  
RECORD OF PROCEEDINGS

BEFORE THE REGISTRAR S.G. SHAH

Petition(s) for Special Leave to Appeal (Civil) No(s).5971/2007

(From the judgement and order dated 04/09/2006 in WP No. 2193/2005  
of The HIGH COURT OF KARNATAKA AT BANGALORE)

UFM SRI RAGHUVEER G PAI

Petitioner(s)

VERSUS

PANDURANG PAI & ORS.

Respondent(s)

(With appln(s) for c/delay in filing SLP and prayer for interim relief and  
office report )

Date: 06/07/2011 This Petition was called on for hearing today.

For Petitioner(s)

Mr. Devadatt Kamat, Adv.

Mr. Nitin Lonkar, Adv.

Mr. Rauf Rahim,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following  
ORDER

It is unfortunate that though there is a stay order since March, 2007 whereby Report of the Commissioner is not acted upon by the concerned court, petitioner has failed to confirm service upon some of the unserved respondents. The fact remains that even before High Court some of the respondents though served had not appeared and High Court had dispensed with the notices upon some of the respondents while deciding the Writ Petition No. 2193 of 2005. In view of such fact

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petitioner should have taken resource of Supreme Court Rules. It seems that matter is pending for service since 2007 may be because of the interim order in favour of the petitioner.

Repeatedly, time was granted by Court of Registrar to confirm service upon unserved respondent. Petitioner has failed to take appropriate steps for confirming service upon unserved respondent including service through the Trial Court or service by affixing at the given address, but on given occasions petitioner has failed to pay process fee in time. By order dated 23rd January, 2009; in view of non-payment of process fee; Court of Registrar has directed to list the matter before Hon'ble Judge in Chambers.

Unfortunately records shows that action has not been taken from 23rd January, 2009 to 5th April, 2011 i.e. more than one year, when Court of Registrar has granted time to take fresh steps to serve unserved respondent. Even thereafter for the last three months petitioner has not taken any step.

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In view of such facts no further time can be granted by this court to the petitioner. Petitioner has to serve unserved respondent by appropriate mode. For the purpose, if requested and if process fee and additional copies are filed before 13th July, 2011; office has to issue additional dasti service else list before the Hon'ble Judge in Chambers for non-prosecution.

(S.G. Shah)  
Registrar

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