

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
BEFORE THE REGISTRAR S.G. SHAH

Petition(s) for Special Leave to Appeal (Civil) No(s).29176/2008

U.P.STATE ROAD TRANSPORT CORP.

Petitioner(s)

VERSUS

RAJDEI DEVI & ORS.
(With prayer for interim relief)

Respondent(s)

Date: 30/09/2010 This Petition was called on for hearing today.

For Petitioner(s)

Ms. Sangeeta Kumar, Adv.

For Respondent(s)

Mr. A.K. Yadav, Adv.
Mr. K.V.Mohan, Adv.
Mr. Debasis Misra ,Adv

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

There is order stating recovery of penalty since

16.12.2008.

Among unserved respondents, respondent No.1 is served and represented by the learned Advocate-on-Record, Mr.K.V. Mohan.

Respondent No.2 to 5 are yet not served who are none but the legal representatives of the victim and practically son and daughters of respondent No.1 who is before this court through an Advocate.

The learned counsel for the petitioner has pointed out that even after repeated attempt, notice upon unserved
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respondent Nos.2 to 5 could not be served since they are avoiding the notice.

In view of the above fact, the learned Advocate, Mr.A.K. Yadav appearing on behalf of Mr. K.V. Mohan, Advocate-on-Record for respondent No.1 is requested to accept notice for son and daughters of their client being respondent No.1.

However, he is not ready to accept notice stating that he does not have instruction to accept the notice.

In view of the above facts, if respondent No.1 is not helping the judicial process in confirming the service upon son and daughters, there is no alternative but to issue fresh notice against such unserved respondents.

The learned counsel for the petitioner agrees to serve notice by dasti mode.

He is permitted to serve notice through the nearest civil court or trial court.

Such court is specifically directed to effect the notice even by affixing the same at the given address, if it could not be served in due course.

List again on 2.12.2010.

(S.G. SHAH)
REGISTRAR

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