

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 ASHOK MENON

Petition(s) for Special Leave to Appeal (Civil) No(s).30573/2008

ROOP SINGH & ANR.

Petitioner(s)

VERSUS

STATE OF HARYANA & ANR.

Respondent(s)

(With prayer for interim relief )

WITH SLP(C) NO. 3898 of 2009

(With office report)

SLP(C) NO. 4080 of 2009

(With office report)

SLP(C) NO. 4338 of 2009

(With office report)

Date: 05/02/2010

This Petition was called on for hearing today.

For Petitioner(s)

Mr. V.J. Francis,Adv.

For Respondent(s)

Mr. Ravindra Bana,Adv.

Ms. Neha Sardana,Adv.

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

Service of notice is complete in SLP(C)No.30573 of 2008. But it is not complete in the connected SLP(C)Nos. 3898, 4080, 4338 of 2009. In the earlier order dated 5.1.2010 it was observed that service of notice is complete in all the matters. This order was passed on the basis of the office report dated 4.1.2010 alongwith which the file pertaining to SLP(C)No. 30573 of 2008 alone was placed before the Registrar's court. In compliance with ...2/-

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an earlier order dated 19.11.2009 the connected SLP(C)Nos. 3898, 4080 and 4338 of 2009 were listed before the Hon'ble Judge in Chamber for non prosecution, since the petitioner had failed to file process fee within two weeks as directed in the said matters. Since this fact of listing of the connected matters before the Hon'ble Judge in Chamber for non prosecution was not reflected in the office report, it was observed in the order dated 5.1.2010 that service was complete in all the matters. In the meanwhile, when the connected matters were listed before the Hon'ble-Judge in-Chamber for non prosecution, order dated 5.1.2010 was pointed out to submit that service is complete and hence no orders are necessary for non prosecution. The Hon'ble Judge in Chamber relying on the order dated 5.1.2010 observed that no order need to be passed since the service is complete.

The learned counsel appearing for the petitioner had not actually filed process fee and spare copies of the

pleadings, and notice was not issued in the matters posted before the Hon'ble Judge-In-Chamber. On perusal of the entire file I am convinced that the service in SLP(C)No3898, 4080 and 4338 of 2009 is not complete. Counsel for the petitioner is, therefore, directed to comply with the present office report and file process fee and spare copies of the pleadings in the aforesaid three matters within three weeks, failing which the matter be listed again before the Hon'ble Judge in Chamber for non prosecution. In case of compliance, await service of notice.

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..3/-

Mr. Kamal Mohan Gupta, Advocate who had proposed to appear for respondent No. 1 in SLP(C)No.30573 of 2008 has not yet filed Vakalatnama and counter affidavit. He is directed to file Vakalatnama/memo of appearance. Respondent No. 2 has appeared but no counter affidavit is filed therein .

List the matters on 18.3.2010.

(ASHOK MENON)  
Registrar