

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

SECTION XVI-A
LISTED ON:
CHAMBER MATTER:
ITEM NO. :

TRANSFER PETITION (CIVIL) NO. 521 OF 2015
WITH
INTERLOCUTORY APPLICATION NO. 1 OF 2015
(Application for Ex-Parte stay)

MANISHA JAVALKAR

.....Petitioner

VERSUS

ABHIJEET UMAKANT JAVALKAR

.....Respondent

OFFICE REPORT ON DEFAULT

The Transfer Petition above mentioned was listed before the Hon'ble Court on 10th April, 2015 when the Court was pleased to pass the following order:

"Issue notice.

In the meanwhile, further proceedings in H.M.A. No.1712 of 2014 titled as "Sh. Abhijeet Umakant Javalkar Vs. Smt. Manisha Javalkar", pending in the Family Court, Karkardooma Court, Delhi, shall remain stayed."

Accordingly notice was issued to the Sole Respondent through Registered A.D. Post on 7th May, 2015.

It is submitted that neither A.D card nor unserved cover containing notice has been received back from the Sole Respondent.

Thereafter the matter was listed before the Ld. Registrar Court on 7th September, 2015 when he was pleased to pass the following order.

"Fresh steps for the service of notice by usual mode to the sole respondent shall be taken by the learned counsel for the petitioner within a period of four weeks. Dasti in addition is permitted to be served.

List again on 24.11.2015."

Contd ..2/-

It is submitted that counsel for the Petitioner has neither filed spare copy of the Transfer Petition nor taken fresh steps for effecting service of notice on sole Respondent hence fresh notice could not be issued.

Lastly the matter was listed before the Ld. Registrar Court on 3rd February, 2016 when he was pleased to pass the following order;

"The office report indicates that although by order dated 24.11.2015 of this Court four weeks time as last chance was given to the Learned Counsel for the petitioner to take fresh steps for the service of notice to the sole respondent, yet he has not done the needful within the period stipulated in the order. Viewed in that context, the matter shall be processed for listing before the Hon'ble Judge in Chambers for further future directions. Await orders. List thereafter."

Service of show cause notice is not complete.

The default on the part of counsel for the Petitioner is reported to Hon'ble Judge in Chamber with this Office Report.

Dated this the 11th day of Febraury, 2016.

Copy to: Mr. Sanjay Kumar Tyagi, Advocate.

ASSISTANT REGISTRAR

ASSISTANT REGISTRAR