

SECTION XVI

LISTED ON: 11.11.2016

COURT NO.: R-2

ITEM NO. : 104

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO. 10077 of 2016

(With prayer for interim-relief)

SANJAY KR.GUPTA & ANR.

...Petitioner(s)

Versus

TETARI DEVI & ORS.

...Respondent(s)

OFFICE REPORT

The matter above-mentioned was listed before the Id. Registrar's Court on 03.10.2016 when he was pleased to pass the following order:

"The respondent No.4 shall be at liberty to file the counter affidavit within a period of four weeks.

Service of notice is complete on the respondent Nos.8-9, 11-12, 14, 16-19 & 21, but no one has entered appearance on their behalf.

The respondent Nos.5 & 13 have refused to accept the service of notice sent to them under registered cover. This refusal on their part constitutes proper service.

The unserved covers containing the notices have been received back from the respondent Nos.3,7 & 15 with postal remarks "not reside" & "incomplete address". Hence, Id. counsel for the petitioner shall file the fresh particulars of the above respondents within a period of four weeks and he shall also take fresh steps for the service of notice to them and to the respondent No.10 within the same period.

The respondent Nos.1,2, 6 & 20 are reported to be dead. Id.counsel for the petitioner shall within a period of four weeks file an application for substitution to bring on record the Lrs. Of the said respondents.

List the matter again on 15.11.2016.."

It is submitted that Mr. Naresh Kumar, advocate has not filed counter-affidavit on behalf of respondent No.4, so far.

Service of notice is complete on behalf of respondent Nos. 8-9, 11-12, 14, 16-19 and 21, but no one has entered appearance on their behalf, so far.

It is further submitted that counsel for the petitioner has neither filed fresh particulars nor taken any fresh steps in respect of respondent No. 10.

It is lastly submitted that counsel for the petitioner has neither taken any fresh steps in respect of respondent Nos. 3, 7 and 15 nor filed application for substitution to bring on record of lrs. Of deceased respondent Nos. 1, 2, 6 and 20.

Service of notice is still incomplete in respect of respondent Nos. 1 to 3, 6-7, 15 & 12.

The matter is listed before the Ld. Registrar's Court with this office report.

Dated this the 11th day of November, 2016.

**ASSISTANT REGISTRAR**

Copy to: Mr. Manish Kr. Saran, Advocate  
Mr. Naresh Kumar, advocate

**ASSISTANT REGISTRAR**

**P/J**