

SECTION XVI

LISTED ON: 23.01.2017
COURT NO.: 12 (Chamber)
ITEM NO. : 46

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 FOR DIRECTIONS

The matter above-mentioned was listed before Hon'ble court on 8.04.2016 when the Court was pleased to pass the following order:

**"Delay condoned.
Issue notice."**

Accordingly show-cause notice was issued on 23.04.2016 to the all the twenty one respondents through registered AD post. Mr. Naresh Kumar, advocate has filed Vakalatnama on behalf of respondent No.4 but he has not filed counter-affidavit, so far.

AD card duly signed has been received back from respondent Nos. 8-9, 11-12, 14, 16-19 and 21, but no one has entered appearance on their behalf, so far. In respect of respondent Nos. 5 & 13 remarks "refused" and Service on respondent Nos. 5 & 13 held as deemed service by the Ld. Registrar order dated 3.10.2016.

It is submitted that Neither AD card nor unserved cover containing notice has been received back from respondent No.10, so far. Unserved cover containing notice has been received back with remarks "dead" and "not reside" in respect of respondent nos. 1-2, 6 & 20, and 3 & 15 and postal remarks "incomplete address" in respect of Respondent No.7. Counsel was informed vide registry letter dated 27.4.2016 and 6.6.2016 to take steps of the aforesaid respondents.

It is further submitted that counsel for the petitioner has neither filed fresh particulars and taken fresh steps to effect service on unserved respondent Nos. 3, 7, 10 & 15 nor filed application to bring legal representatives on record of the deceased respondent Nos. 1-2, 6 & 20, so far.

Service of notice is incomplete.

In view of Ld. Registrar's order dated 16.12.2016 Office-report for directions is listed before the Hon'ble Judge-in-chamber Court with this office report.

Dated this the 22nd day of December, 2016.

ASSISTANT REGISTRAR

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

ASSISTANT REGISTRAR

P