

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

SECTION XVI-A  
LISTED ON: 28.10.2016  
COURT NO.: 12  
ITEM NO. : 47

TRANSFER PETITION (CIVIL) NO. 614 OF 2015

WITH

INTERLOCUTORY APPLICATION NO. 1 & 2 OF 2015

(Application for Ex-Parte stay permission to appear & argue in person)

DEVI

.... Petitioner

Versus

VINOD PRASAD @ VINOD KUMAR

.... Respondent

OFFICE REPORT

The matter above mentioned was listed before the Hon'ble Court on 27<sup>th</sup> April, 2015 when the Court was pleased to pass the following order.

**"Issue notice.**

**There shall be stay of further proceedings of Petition No. HMA-1215 of 2014 titled as Sh. Vinod Prasad @ Vinod Kumar Vs. Smt.Devi pending in the Court of Judge, Family Court (South East), Saket Courts, New Delhi."**

Upon condoning the delay of filing process fee and spare copy of Transfer Petition by Ld. Registrar Court on 14<sup>th</sup> May, 2015, notice was issued to Sole Respondent through Registered A.D. post on 16<sup>th</sup> June, 2015.

It is submitted that A.D. Card duly signed by the father of Respondent has been received.

It is further submitted that Respondent-in-person has filed an application to appear & argue -in-person and was to appear before Ld. Registrar J-II for interaction on 17.08.2015, but unserved cover containing the notice of interaction has been received back from respondent with the postal remarks "person not available on repeated visits.

It is also submitted that counsel for the Petitioner viz. Mr. S.K. Sabharwal, Advocate has expired and notice for alternate arrangement notice was issued through Registered A.D. Post on 19<sup>th</sup> September, 2015 to the Petitioner to make fresh arrangement for her representation before this Hon'ble Court.

Contd..2/-

Thereafter the matter was listed before the Ld. Registrar Court on 17<sup>th</sup> September, 2015, when he was pleased to pass the following order.

"Service of notice for alternative arrangement is still awaited in respect of petitioner. The Ld. Advocate Mr. Monohar pratap has appeared and requested three weeks' time to file fresh vakalatnama. Be filed within three weeks' time as assure.

The notice for interaction as was issued qua respondent-in-person has been received with the postal remarks 'not available'.

The matter be placed before the Hon'ble Judge in Chambers for further directions."

It is submitted that neither unserved cover containing the notice for alternative arrangement has been received back nor Mr. Manohar Pratap, Advocate who appeared before the Ld. Registrar Court has filed Vakalatanama and Memo of appearance on behalf of Petitioner pursuant to the order quoted above.

It is further submitted that Mr. Ajit Sharma, Advocate has on 8<sup>th</sup> January, 2016 filed Vakalatnama and Memo of appearance on behalf of Petitioner.

Lastly the matter was listed before the Ld. Registrar Court on 9<sup>th</sup> February, 2016 when he was pleased to pass the following order;

"Last opportunity for taking fresh steps for service within two weeks. Dasti Service is also allowed.

List on 26.4.2016."

Accordingly fresh notice was issued to sole Respondent through Registered A.D. post on 25<sup>th</sup> February, 2016 as well as Dasti.

It is submitted that unserved cover containing the said notice has been received back from sole Respondent with the postal remarks "receipt refused to accept"

In view of Ld. Registrar Court's order dated 26<sup>th</sup> April, 2016 the matter is listed before the Hon'ble Court with this Office Report.

Dated this the 27<sup>th</sup> day of October, 2016.

ASSISTANT REGISTRAR

Copy to:

1. Smt. Devi, W/o. Sh. Vinod Prasad @ Vinod Kumar,  
R/o. Village Motipur No. 1, P.S. Dineshpur,  
First Floor, Sanjay Colony, Okhla Phase -Iim Delhi – 20.
  
2. Mr. Vinod Prasad, Respondent-in-person,  
Jhuggi No. C-257, 1st Floor, Sanjay Colony,  
Okhla Phase-II, New Delhi – 20.

ASSISTANT REGISTRAR