

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

SECTION – XVIA
LISTED ON : 21-02-2017
COURT NO : 6
ITEM No. : 7

TRANSFER PETITION (CIVIL) Nos. 553-554 OF 2016
IN
INTERLOCUTORY APPLICATION Nos. 3-4 OF 2016
(Application for Stay)

KRISHNA DEVI AND ANR.

...Petitioners

VERSUS

KAMLESH KUMAR MORYA

...Respondent

OFFICE REPORT

The Transfer Petition above mentioned was listed before the Hon'ble Court on 11-04-2016, when he was pleased to pass the following Order:-

"Application for exemption from filing O.T. is allowed.

Issue notice.

In the meantime, further proceedings in Application No. 331 of 2013 titled as "Kamlesh Kumar Morya vs. Minor Kumari Khusi & Anr." and H.M.A. No. 101 of 2013 titled as "Kamlesh Kumar Morya vs. Krishna Devi" both pending before the Court of District Judge, Sultanpur, shall remain stayed."

Accordingly, notice was issued to the sole respondent through Regd. A.D. Post on 29-04-2016.

It is submitted that neither A.D. Card nor unserved cover containing the said notice has been received back.

Thereafter, the matter above mentioned was listed before the Ld. Registrar Court on 29-09-2016, when he was pleased to pass the following Order:-

"Ld.counsel for the petitioner is directed to take fresh steps in respect of the sole respondent within four weeks.

In the meantime, Office shall enquire about the fate of the notice sent to him under registered cover from the concerned postal authorities.

List the matter again on 11.11.2016."

contd....2/-

Accordingly, Fresh notice was issued to the sole Respondent through Registered A.D. post on 24-10-2016.

It is submitted that notice has been delivered to the sole respondent on 28-10-2016 as per track report of Postal Authority.

Thereafter, the matter above mentioned was listed before the Ld. Registrar Court on 11-11-2016, when he was pleased to pass the following Order:-

"The office report indicates that service of notice is complete on the sole respondent, but no one has entered appearance on his behalf. Viewed thus, the matter shall be processed for listing before the Hon'ble Court as per rules."

Service of show cause notice is complete.

The matter above mentioned is listed before the Hon'ble Court with this Office Report.

Dated this the 18th day of February, 2017.

ASSISTANT REGISTRAR

Copy to : Mr. Gautam Awasthi, Advocate

ASSISTANT REGISTRAR

MC