

TRANSFER PETITION (CIVIL) NO. 677 OF 2016
WITH
INTERLOCUTORY APPLICATION NO. 1 OF 2016
(Application for Ex-Parte stay)

MOHINI SONI

.....Petitioner

VERSUS

ARUN KUMAR SONI

.....Respondent

OFFICE REPORT ON DEFAULT

The transfer petition above-mentioned was listed before the Hon'ble Court on 02-05-2016, when the Court was pleased to pass the following Order:-

"Issue notice.

In the meantime, there shall be stay of further proceedings in Complaint Case No. 86 of 2016 titled as 'Arun Kumar Soni v. Mohini Soni' pending before the Family Court, District Udham Singh Nagar, Rudrapur, Uttarakhand."

Accordingly, notice was issued to the sole respondent through Registered A.D. Post on 20-05-2016.

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

Thereafter the matter was listed before the Ld. Registrar's Court on 25-10-2016 when he was pleased to pass the following Order:

"Four weeks time, as a last chance, is given to the learned counsel for the petitioner to comply with the terms of the order dated 14.09.2016 of this Court in respect of the sole respondent.

List again on 25.11.2016."

It is submitted that Counsel for the petitioner has neither taken fresh steps for effecting service on sole respondent nor filed spare copy, hence show cause notice could not be issued.

Lastly, the matter above mentioned was listed before the Ld. Registrar's Court on 25-11-2016 when he was pleased to pass the following Order:

"Ld.counsel for the petitioner has failed to take fresh steps in the respect of the sole respondent despite opportunities given. Therefore, the matter shall be processed for listing before the Hon'ble Judge in Chambers for further directions. Await orders and list thereafter."

It is submitted tht Mr. Gautam Awasthi, Advocate has on 25-11-2016 filed spare copy of Transfer Petiton.

Service of show cause notice is not complete.

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

Dated this the 14th day of December, 2016.

ASSISTANT REGISTRAR

Copy to : Mr. Gautam Awasthi, Advocate.

ASSISTANT REGISTRAR

MC