

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

BEFORE THE REGISTRAR S.G. SHAH

Petition(s) for Special Leave to Appeal (Civil) No(s).12047/2012

LOK RANJAN JT.SEC.

Petitioner(s)

VERSUS

A.CLETUS & ORS.

Respondent(s)

(With appln(s) for c/delay in filing SLP,permission to place addl. documents on record,exemption from filing c/c of the impugned order and office report))

Date: 12/09/2012 This Petition was called on for hearing today.

For Petitioner(s)

Mr. Arvind Kumar Sharma,Adv.

For Respondent(s)

Mr. Shekhar Kumar,Adv.

Mr.Senthil Jagadeesan ,Adv.

UPON hearing counsel the Court made the following

O R D E R

Learned Advocate appearing for Respondent No. 4 to 6 as pointed out that unserved respondent nos. 2 and 3 are not in official capacity and since they are retired they may not be unnecessary parties. Nobody is present for petitioner. Petitioner fails to take appropriate steps to confirm service of respondent no.2 and 3. They are already disclose as proforma respondent by the petitioner. However, it is difficult for this Court to list the matter before the main Court as requested by the Learned Advocate for the respondent nos. 4 to 6; since respondent no. 2 and 3 are yet not served and petitioner has not taken steps to waive service upon respondent no.2 and 3. It is clear that unserved respondents are also department of the Govt. and hence petitioner should either serve them by dasti or shall disclose that they do not press any judicial order against them and hence to waive the service. In view of such position if petitioner fails

-2-

to confirm service upon such respondents on or before 20th September, 2012, matter is required to be listed before the Hon'ble Judge in Chamber for non-prosecution against unserved respondents. Considering the urgency of the matter referring the Court's order dated 2nd April, 2012 Ld. Advocate for respondent no. 4 to 6 is requesting to allow him to confirm service of unserved respondent nos. 2 and 3 by dasti mode. Request is allowed. Let there be dasti notice without process fee and additional copies of the pleadings which is to be handed over to Learned counsel for respondent no. 4 to 6. They are permitted to serve it in the office of the respondent no. 2 and 3 i.e. in the Department of Revenue at New Delhi. Registry has to issue dasti notice before 24th September, 2012. Petitioner has to provide additional sets of pleadings to respondent no.2 and 3 if they appears before the Court. List again on 24th September, 2012.

REGISTRAR (S.G. SHAH)

sk