

SECTION-XVII
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4401 of 2014
MAHARASHTRA STATE ELEC. DIST. CO. LTD ...Appellant (s)

VERSUS

NORTH KARANPURA TRANSMISSION CO. LTD & ORS. ...Respondent (s)

OFFICE REPORT

It is submitted that the above matter was listed before Id. Registrar Court on 12.03.2015 when the court was pleased to pass the following order:

"The ld. Counsel for respondent no.2 has requested four weeks time to file counter affidavit. Perusal of the record shows that time stipulated for the purpose and the permissible extension has already been afforded. Further opportunity is therefore declined. Service of respondent Nos. 11,18,20,25,40 and 43 is complete but none has entered appearance. However, with respect to respondent Nos. 3 to 10, 12 to 17, 19, 21 to 24, 26,27,30 to 39, 41,42,44, petitioner still to take fresh steps to effect service. Counter affidavit of respondent no.1 has already come on record. Counter affidavit of respondent no.28 is also awaited. Be filed within four weeks as last opportunity. The ld. Counsel for the petitioner to provide complete set of pleadings to the ld. Counsel for the respondent at the earliest. At this stage, the ld. counsel for the petitioner has mentioned that all the unserved respondents have duly been served. Proof of service has also been filed on 31.7.2014. Registry to verify the same. List again on 29.4.2015."

It is submitted that no one entered appearance on behalf of respondent nos. 11,18, 20, 40 and 43 but no one has entered appearance on its behalf. Mr. Pradeep Misra, Advocate has entered appearance on behalf of respondent no. 23, 24 and 25 but have not filed counter affidavit. Neither A.D. cards nor unserved covers have been received in respect of respondent no. 3 to 10, 12 to 17, 19, 21 ,22, 26 , 27, 29 to 39, 41, 42 and 44 so far. Counsel for respondent no. 28 has not filed Counter Affidavit in the matter so far.

Counsel for the appellant has not taken fresh steps to effect service on these unserved respondents and Service remains incomplete in respect of respondent no. 3 to 10, 12 to 17, 19, 21 ,22, 26 , 27, 29 to 39, 41, 42 and 44 .

It is lastly submitted that Counsel for the appellant has on 31.07.2014 filed Affidavit of Service but the same is defective as the notices were sent through Courier instead of Dasti service.

The matters above-mentioned are listed before the Ld. Registrar Court with this Office report.

DATED THIS THE 28th DAY OF APRIL, 2015.

ASSISTANT REGISTRAR

Copy to:

Mr. Saurabh Mishra, Advocate
Mr. Shiv Kumar Suri, Advocate
Mr. Chandra Prakash, Advocate
Mr. Vikas Upadhyay, Advocate
Mr. Pradeep Misra, Advocate

ASSISTANT REGISTRAR