

SECTION – IX
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITITONS FOR SPECIAL LEAVE TO APPEAL (C) NOS. 26400 - 26401 OF 2012

ANANT MAHENDRAKUMAR DESAI

...PETITIONER

-VERSUS-

JAYANTIBHAI RAMDAS PATEL & ORS.

...RESPONDENTS

OFFICE REPORT FOR DIRECTIONS

The matter above-mentioned was listed before the Hon'ble Court on 31st August, 2012, when the Court was pleased to pass the following Order:-

“Issue notice both on the limitation and on the special leave petitions.

Dasti, in addition, is allowed. Rule returnable in four weeks.”

Thereafter, the matter above-mentioned was listed before the Hon'ble Judge in Chambers on 29th April, 2014, when the Court was pleased to pass the following Order:-

“ Respondent Nos. 4 and 7 are represented.

There is no representation for other respondents and the petitioner.

The petitioner has not filed affidavit of dasti service on the unserved respondents.

Since there is no representation on behalf of the petitioner, with a view to give final opportunity to file the affidavit of dasti service, two weeks' time is granted.”

Lastly, the matters above-mentioned were listed before the Ld. Registrar Court on 24th July, 2015, when the following order was passed:-

“Service of respondent nos. 1 to 3 is complete but none has entered appearance.

Counter affidavit of respondent no.4 is already on record.

The ld. Counsel for respondent no.7 has requested four weeks time to file counter affidavit. Be filed as assured. However, it shall be the last opportunity for the purpose.

Affidavit of dasti service qua respondent nos. 5 and 6 has not been filed by the petitioner despite the final opportunity granted by

the Hon'ble Judge in Chambers vide order dt.29.4.2014.

Let the matter be placed before the Hon'ble Judge in Chambers for further directions.”

It is submitted for the information of the Hon'ble Court that there are seven Respondents in the instant matter. Respondent Nos. 4 and 7 are represented through M/s. L. R. Singh and S. Narain & Co., Advocates respectively. A.D. Cards duly signed have been received back from Respondent Nos. 1 to 3 but no one has entered appearance on their behalf so far.

It is further submitted that counsel for the petitioner has already filed letters of the Senior Post Master, Vadodara, Head Quarter in respect of Respondent Nos. 5 and 6 stating therein that the notices have been delivered to said Respondents but no one has entered appearance on their behalf so far. However, the counsel for the petitioner has not filed proper affidavit of dasti service in respect of Respondent Nos. 5 and 6.

Service of notice on Respondent Nos. 5 & 6 may be treated as complete.

The matter above-mentioned is listed before the Hon'ble Judge in Chambers for orders with this report.

Dated this the 30th day of March, 2016.

ASSISTANT REGISTRAR

Copy to:

Mr. Nikhil Goel, Adv.

Mr. Rajiv Shankar Dvivedi, Adv.

M/s. S. Narain & Co., Adv.

at

ASSISTANT REGISTRAR