

Listed on 6.5.2014

Before Ld. Registrar

Court No. 2, Item No. 23

SECTION:XIV

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) Nos. 24131/2012 and 23953/2013

D.D.A.

Petitioner

VERSUS

Diwan Chand Anand & Ors.

Respondents

OFFICE REPORT

The matter above mentioned was listed before the Court of Ld. Registrar on 5.2.2014, when the Court was pleased to pass the following order:-

"In SLP(C) No.24131/12 the notice addressed to respondent Nos. 4-6, 17-19, 22-25, 27, 28, 34, 38 and 48 have been returned unserved. It is submitted by the Ld.counsel for the petitioner that some of the above unserved respondents have been served in the connected matter which is SLP(C) No.23953/13.

Office to verify the position and if so, that service can be deemed as complete as against them in the connected matter. Regarding the remaining respondents, who have not been served, Ld.counsel for the petitioner is granted time for taking fresh steps.

Ld.counsel for the petitioner may also assist the Registry to identify the persons who have been so served. The served respondents are granted last opportunity for filing counter affidavit. Await return of notice of the unserved respondents.

In SLP(C) No.23953/13 await return of notice of the unserved respondents. The served respondents are granted time for filing counter affidavit as a last chance.

List the matter on 6.05.2014."

SLP(C) No.24131/2012

It is submitted that there are 48 respondents in this matter. Service on respondent No.1 has been waived off vide this Court's order dated 22.7.2013. Mr. Pramod Dayal and Ms. Rachana Srivastava, Advocates have filed vakalatnama/appearance on behalf of respondent No.32 and 45 & 47 respectively but has not filed counter affidavit so

far. No one has entered appearance on behalf of Respondent Nos. 2,7 to 9, 10-16, 20,26, 30-31, 33, 36, 38-41 & 44 though served.

It is further submitted that in pursuance of above order, Respondent Nos.3,6, 35, 42 in SLP(C) No.24131/2012 has been served in connected matters SLP(C) No.23953/2013 and thus service deemed as complete on them.

It is also submitted that counsel for the petitioner has filed a letter stating therein that the served respondent Nos.2 & 35 is same and now he is dead and LRs of his may be brought on record in the matter but the same is defective as he has not filed a proper application in this regard.

Service is not complete in respect of Respondent Nos.4,5, 17-19, 21-25, 27-29, 34, 37, 38, 43, 46, 48 in this matter and counsel for the petitioner has filed an application for substituted service in this regard but the same is defective and counsel has been requested to cure the defects vide this Registry's letter dated 31.3.2014.

SLP(C) No. 23953/2013

It is submitted that there are 48 respondents. Counsel appearing for Respondent Nos.6 & 3 have not filed counter affidavit so far. AD cards duly signed has been received from respondent Nos. 2,3,7 to 9, 10-16, 20, 26, 30, 31, 33, 35, 36, 39-42, 44 but no one has entered appearance so far. Unserved cover containing notice from Respondent Nos. 4,5, 17, 18, 19, 21-25, 27-29, 34, 37, 38 & 46 have been received. Service of notice is awaited from respondent Nos. 1, 43, 45, 47 & 48 is awaited. Counsel for the petitioner has not filed affidavit proof of dasti service so far.

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

DATED THIS, THE 5th DAY OF MAY, 2014.

ASSISTANT REGISTRAR

Copy to :

M/s Saharya & Co. Advocates

Mr. Pramod Dayal, Advocate

Ms.Rachana Srivastava, Advocate

ASSISTANT REGISTRAR

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