

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

BEFORE THE REGISTRAR SH. ANIL LAXMAN PANSARE

Transfer Petition(s) (Civil) No(s). 1984/2017

CHAND KUMARI

Petitioner(s)

VERSUS

AJAY KUMAR

Respondent(s)

IA No. 112067/2017 - STAY APPLICATION)

Date : 18-12-2019 These matters were called on for hearing today.

For Petitioner(s)

Mr. Aniruddha P. Mayee, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

None appeared for the petitioner when called.

On 9.12.2019, the following order was passed -

"None appeared for the petitioner when called.
Spare copy has been filed.

Fresh particulars of the sole respondent have not been
furnished, despite last opportunity.

On previous date i.e., 13th August, 2019, the Registrar
Court passed following order :

*"Ld. Counsel for the petitioner to take fresh steps
alongwith fresh particulars of the sole respondent
within two weeks, as last opportunity. Ld. Counsel
for the petitioner requested to serve the respondent
through District Judge. Permission granted. Notice
be issued through District Judge in terms of Order
LIII Rule 3, Supreme Court Rules, 2013. List again
on 9.12.2019."*

Accordingly, matter is listed today. As could be seen
from the order, the petitioner requested to serve

respondent through District Judge. Accordingly, the Registry was directed to issue notice through District Judge in terms of Order LIII Rule 3 of Supreme Court Rules, 2013. However, as per office report, the Registry has issued notice by dasti through concerned Trial Court. Firstly, the act of Registry is contrary to the order passed by Registrar's Court and secondly Order LIII Rule 3 does not provide for service by dasti through Trial Court.

Registry to explain as to why the notice has not been issued in terms of order dated 13th August, 2019.

List against on 18th December, 2019."

In compliance to above order, the Registry has stated that Ld. counsel for the petitioner has not filed particulars of District Judge but inadvertently, notice was issued through dasti. It appears that Registry is negligent in compliance with the aforesaid order. Hence Registry is directed to act diligently.

As stated earlier, none appeared for the petitioner when called. Particulars of District Judge concerned are not filed. In the circumstances, last opportunity is granted to Ld. Counsel for the petitioner to take fresh steps and to furnish the fresh particulars of the respondents within two weeks. Service be effected through District Judge in terms of Order LIII Rule 3, Supreme Court Rules, 2013. Details of the concerned District Judge be furnished within seven days. If fresh steps are not taken with fresh particulars within two weeks, Registry to process the matter for listing before the Hon'ble Judge in Chamber for orders. If fresh steps are taken with particulars within two weeks, be processed as per

rules and the matter be listed before this Court again on
25.3.2020.

ANIL LAXMAN PANSARE
Registrar