

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

SECTION – XVIA
LISTED ON : 16.01.2020
COURT NO : 7
ITEM No. : 4

TRANSFER PETITION (CIVIL) NO. 173 OF 2019
WITH
INTERLOCUTORY APPLICATION NO. 15404 OF 2019
(Application for ex-parte Stay)

SUCHITA ANAND

...Petitioner

VERSUS

RAHUL SETH

...Respondent

OFFICE REPORT

The Transfer Petition above mentioned was listed before the Hon'ble Court on 30-01-2019, when the Court was pleased to pass the following Order:-

"Application for exemption from filing official translation is allowed.

Issue notice.

In the meantime, there shall be stay of further proceedings in Case No.1169/2018 titled as Rahul Seth v. Suchita Anand pending before the Principal Judge, Family Court, Jabalpur, Madhya Pradesh until further orders."

Accordingly, notice was issued to the sole Respondent through Registered A.D. post on 13.02.2019.

It is submitted that as per tracking report of the Postal authority notice has not been delivered to sole respondent with postal remarks "Insufficient Address".

Thereafter, the Transfer Petition above mentioned was listed before the Ld. Registrar Court from time to time and on 24.07.2019, when the following Order was passed:-

"Ld. Counsel for the petitioner to file one more set of spare copy and fresh address within two weeks time as last opportunity. However, ld. Counsel for the petitioner submitted that the address given is the correct address. Notice be issued at the old address. Ld. Counsel for the petitioner has requested for dasti service to be effected on the ld. Counsel at the Trial Court at Delhi. Allowed in terms of Order XLI Rule 5 read with Order XXI Rule 3(g) of Supreme Court Rules, 2013. Ld. Counsel for the petitioner submitted that the matter is listed before the Dwarka Court on 30.7.2019. Registry to act immediately.

List again on 8.11.2019."

Accordingly, notice was issued to the sole respondent through Registered AD. Post on 30.07.2019 as well as through Dasti on 27.07.2019.

It is submitted that as per postal tracking report no consignment detail found on postal website and neither AD Card nor unserved cover containing notice has been received so far.

It is further submitted that Counsel for the Petitioner Ms. Harsh Lata, has on 20.08.2019 filed affidavit of dasti service alongwith proof after effecting dasti service on the sole respondent served on 30.07.2019 before Trial Court but no one has entered appearance on behalf of sole respondent so far.

Service of show cause notice is complete.

In view of the Ld. Registrar Court order dated 08.11.2019, the matter above-mentioned is listed before the Hon'ble Court with this Office Report.

Dated this the 18th day of November, 2019.

ASSISTANT REGISTRAR

Copy to : Ms. Harsh Lata, Advocate

at

ASSISTANT REGISTRAR