

(2001) 01 AHC CK 0041

Allahabad High Court

Case No: C.M.W.P. No. 10128 of 1988

Sarnam Singh

APPELLANT

Vs

Deputy Registrar, Co-op.
Societies, Jhansi and others

RESPONDENT

Date of Decision: Jan. 17, 2001

Acts Referred:

- Constitution of India, 1950 - Article 226

Citation: (2001) 1 AWC 687 : (2001) 1 UPLBEC 583

Hon'ble Judges: Lakshmi Bihari, J; D.S. Sinha, J

Bench: Division Bench

Advocate: S.S. Nigam, for the Appellant; S.C., V.P. Pathak and M.P. Gupta, for the Respondent

Final Decision: Dismissed

Judgement

D. S. Sinha and Lakshmi Bihari, JJ.

As long back as on 19th May, 1988, a Division Bench of this Court directed that in addition to normal mode of service, the petitioner shall serve respondent Nos. 1, 2 and 3 personally outside Court within three weeks, and file affidavit of service within six weeks. Despite lapse of interminable period of more than twelve years, the petitioner has not bothered to comply the said order of the Court dated 19th May, 1988. Sri Shakti Swarup Nigam, who is present on behalf of the petitioner, has not been able to point out any material on record indicating compliance of the order of the Court dated 19th May, 1988.

2. Although Sri M. P. Gupta has put in appearance for respondent No. 3, yet respondent Nos. 1 and 2 have not been served and are unrepresented.

3. While directing the petitioner to take steps for service upon the respondents as aforesaid, the Court also granted interim order staying operation of the impugned order which is still operative and the petitioner has been enjoying the same for all

these years without complying the order of the Court. A litigant who does not bother to comply the order of the Court is not entitled to any discretionary relief from it.

4. Under the circumstances, the petition is dismissed for default in complying the order of the Court dated 19th May, 1988. The interim order dated 19th May, 1988 shall stand vacated.