

SUPREME COURT OF INDIA

Central Electricity Regulatory Commission

Vs.

National Hydroelectricity Power Corporation Ltd.

C.A.No. ... of 2010

(S.H.Kapadia CJI., K.S.Panicker Radhakrishnan and Swatanter Kumar JJ.)

26.07.2010

ORDER

1. In various Courts, the statistical data indicates that, on account of delay in process serving, arrears keep on mounting. In Delhi itself, the input indicates that fifty per cent of the arrears in Courts particularly in commercial cases is on account of delay in process serving.

2. For the above reasons, the following directions, as mentioned herein below, are given:

“[i] In addition to normal mode of service, service of Notice(s) may be effected by E-Mail for which the advocate(s) on-record will, at the time of filing of petition/appeal, furnish to the filing counter a soft copy of the entire petition/appeal in PDF format;

[ii] The advocate(s) on-record shall also simultaneously submit E-Mail addresses of the respondent(s) Companies/Corporation(s) to the filing counter of the Registry. This will be in addition to the hard copy of the petition/appeal;

[iii] If the Court issues notice, then, in that event alone, the Registry will send such an additional notice at the E-Mail addresses of the respondent(s) Companies/Corporation(s) via E-Mail;

[iv] The Registry will also send Notice at the E-Mail address of the advocate(s) of respondent(s) Companies/Corporation(s), who have filed caveat. Advocate(s) on-record filing caveat shall provide his/her E-Mail address for effecting service; and [v] Within two weeks from today, Cabinet Secretariat shall also provide centralized E-Mail addresses of various Ministries/Departments/ Regulatory Authorities along with the names of the Nodal Officers, if already appointed, for the purposes of service.”

Clarification:

3. The above facility is being extended in addition to the modes of service mentioned in the existing Supreme Court Rules. This facility, for the time being, is extended to commercial litigation and to those cases where the advocate(s) on-record seeks urgent interim reliefs.
4. A copy of this Order be sent to all the High Courts for necessary action.
5. Delay condoned in these appeals.
6. The civil appeals are admitted.
7. Tag the appeals with Civil Appeal No. 5442 of 2007.
8. As regards interim applications, place the matter on 2nd August, 2010.