

SECTION-XIV
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 2872 & 73/2010

WITH

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO. 23393/2010,
12481/2006,2492/2011, 2949/2014, 23102/2011, 32839/2011,
295-296/2012, 3599-3600/2012, 3604-3605/2012,
26437/2012,35330/2012, 2720/2012,3469-3472/2012,
15725-26/2012, 25091/2013 & 29991/2014

WITH

(PRAYER FOR INTERIM RELIEF)

UNION OF INDIA ETC.

...APPELLANTS

VERSUS

A.K. GOEL & ORS. ETC.

...RESPONDENTS

COMMON VOL. OF COURT'S RECORD OF PROCEEDINGS AND
OFFICE REPORT W.E.F.20/11/2013

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LISTED ON: 10.12.2014

BEFORE COURT NO:

ITEM NO:

SECTION-XIV
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 2873/2010

WITH

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO. 23393/2010

WITH

(PRAYER FOR INTERIM RELIEF)

WITH

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO. 12481/2006

WITH

CIVIL APPEAL NO. 2492/2011

WITH

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO. 23102/2011

AND

INTERLOCUTORY APPLICATION NO.2

(Application for stay)

WITH

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO. 32839/2011

AND

INTERLOCUTORY APPLICATION NOS. 10-11

(Application for modification of Court's Order dated 17.01.2012)

WITH

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO. 26437/2012

WITH

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO. 25091/2013

WITH

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO. 29991/2014

WITH

(PRAYER FOR INTERIM RELIEF)

UNION OF INDIA ETC.

...APPELLANTS

VERSUS

A.K. GOEL & ORS. ETC.

...RESPONDENTS

OFFICE REPORT

CIVIL APPEAL NO. 2873/2010

The matter above mentioned was listed before the Hon'ble Court on 27.11.2014 when the Court was pleased to pass the following order:

CA No.2873/2010, SLP 22952-22953/2010, SLP 23393/2010, SLP 12481/2006, SLP 29515/2010, CA 2492/2011, SLP 23102/2011, SLP 24662/2011, SLP 31202-31203/2011, SLP 32839/2011, SLP 26437/2012, SLP 25091/2013, SLP 22319/2013, CA 385/2008, SLP 29991/2014 and SLP 30451/2014

At the request of the learned Additional Solicitor General representing the Union of India, list these cases for hearing on 10.12.2014.

CA Nos. 295-296/2012, SLP(C)Nos.3599-3600/2012, SLP(C) No. 3604-3605/2012, CA 2949/2014 and SLP(C) No.35330/2012

At the request of the learned counsel for the rival parties, and the parties in person, and in the interest of justice, list after the ensuing Christmas and New Year Holidays.

SLP(C) No.2720/2012, SLP Nos.3469-3472/2012, SLP(C) Nos.15725-15726/2012

Heard learned Additional Solicitor General representing the petitioner.

No ground for interference is made out in exercise of our jurisdiction under Article 136 of the Constitution of India.

The special leave petitions are dismissed."

Civil Appeal No. 2873/2010

It is submitted that there are 5 respondents in this appeal. Service of notice of Lodgment of Petition of Appeal is complete on all the respondents but no one has entered appearance on their behalf, so far.

Common Original record in connected Civil Appeal No. 2872/2010 has been received from the High Court.

It is further submitted that counsel for the appellant has not filed statement of case and list of dates has been filed in this matter, hence Civil Appeal may be treated as ready.

Civil Appeal is ready.

SLP (C) NO. 23393/2010

The matter above mentioned was listed before the Hon'ble Court on 17.08.2010, when the Court was pleased to pass the following order:-

"Issue notice.

Mr. Gaurav Kejriwal, Advocate appears and waives service of notice on behalf of sole Respondent.

Post along with SLP(C) No. 15770 of 2009.

In the meanwhile, there shall be stay of contempt proceedings."

It is submitted that pursuant to aforesaid order Show Cause Notice to sole Respondent was issued through Mr. Gaurav Kejriwal, Advocate on 15.09.2010. He has on 21.09.2010 filed

..3..

Counter Affidavit with Annexures R-1 to R-13 and the same have been included in the SLP paper books.

Service is complete.

SLP (C) NO. 12481/2006

Pursuant to this Hon'ble Court's order dated 11.08.2006 Show Cause Notice to all the three Respondents was issued on 01.09.2006 by courier. Respondent Nos. 1 and 2 are represented by Ms. Sushma Suri, Advocate, Respondent No.3 is represented by Mr. P.N. Puri, Advocate. Counsel appearing for Respondent Nos. 1 to 3 have filed their respective Counter Affidavits and the same have been included in SLP paper books. No Rejoinder Affidavit has been filed.

It is submitted that SLP was dismissed alongwith main matter i.e. Civil Appeal No. 5319/2003 vide this Hon'ble Court's order dated 24.11.2009 and the same was restored vide Hon'ble Court's Order dated 01.09.2010 alongwith main matter i.e. IA No. 6 in SLP(C) No. 27164/2008. SLP(C) No. 27164/2008 converted into Civil Appeal No. 32/2013 and the same has been re-tagged vide Hon'ble Court's Order dated 31/08/2012.

Service is complete.

CIVIL APPEAL NO. 2492/2011

It is submitted that there is sole Respondent in this appeal. Service of Notice of Lodgment of Petition of Appeal is complete. Sole Respondent is served through notice but no one has entered appearance, so far.

Original Record has been received from the High Court and is available with the Registry for reference of the Court.

It is further submitted that counsel for the appellant has filed statement of case. **Civil appeal is ready.**

SLP (C) NO. 23102/2011

The matter above mentioned was listed before the Hon'ble Court on 12.08.2011, when the Court was pleased to pass the following order:-

"Delay condoned.

Issue notice.

Tag with C.A. No. 2872 of 2010 and connected matters.."

..4/-

It is submitted that pursuant to aforesaid order, notice to sole Respondent was issued on 16.09.2011. Mr. Raj Singh Rana, Advocate has filed Vakalatnama/Appearance on behalf of sole Respondent but has not filed Counter Affidavit, so far.

It is further submitted that IA No.2 (Application for stay) was listed before the Hon'ble Court on 13.02.2013 with office report dated 13.02.2013 when the Court was pleased to inter-alia pass the following order:-

"...I.A. No. 1 of 2012 in S.L.P. (C) No 29515 of 2010 and I.A No. 2 in S.L.P. (C) No 23102 of 2011:

Having regard to the issues involved in the Special Leave Petitions, we expect the matters to be listed before a larger Bench at an early date.

I.A. No. 1 of 2012 in S.L.P. (C) No 29515 of 2010 and I.A No. 2 in S.L.P. (C) No 23102 of 2011 shall be considered at the time of final hearing of Special Leave Petitions."

Service is complete.

SLP (C) NO. 32839/2011

It is submitted that respondent-in-person has already filed Counter Affidavit and the same has been included in SLP paper books.

Service is already complete.

SLP (C) NO. 26437/2012

It is submitted that as directed vide Hon'ble Court's order dated 31.08.2012 notice was issued to all the 30 Respondents on 08.10.2012 by Regd. AD. AD cards have been received in respect of Respondent Nos. 2 to 4, 6, 7, 11 to 13, 15 to 20, 22 to 24, 26 & 28 to 30 but no one has entered appearance, so far. Respondent Nos. 5, 8 to 10, 14, 21, 25 and 27 have been dismissed vide Hon'ble Chamber Judge Order dated 31.03.2014 and cause title has been amended and placed in SLP paper books. Respondent No.1 is appearing in-person and has on 21.11.2012 filed Counter Affidavit and the same has been included in SLP paper books.

Service is complete.

SLP (C) NO. 25091/2013

The matter above mentioned was listed before the Hon'ble Court on 02.08.2013, when the Court was pleased to pass the following order:-

"Delay condoned.

Issue notice. In the meanwhile, there shall be stay of further meeting of Departmental Promotion Committee (DPC) .

List and tag with Civil Appeal No. 2872/2010."

It is submitted that pursuant to aforesaid order Show Cause Notice to sole Respondent was issued through advocate on record on 26.09.2013. Counter affidavit filed by him has been included in SLP paper books.

Service is complete.

SLP (C) NO. 29991/2014

The matter above mentioned was listed before the Hon'ble Court on 07.11.2014 when the Court was pleased to pass the following Order:-

"Delay condoned.

Issue notice returnable within two weeks.

List for consideration on 20th November, 2014 alongwith Civil Appeal No. 2872 of 2010.

Mrs. Palli, rightly submitted that as the matter is essentially legal in nature, the counter is not proposed to be filed."

It is submitted that as directed above, the instant matter has been tagged with C.A. No. 2872/2010. Counsel for the petitione has not yet supplied spare copies of SLP for issue of show cause notice.

Service is not complete.

The matters alongwith applications above-mentioned are listed before the Hon'ble Court with this Office Report for directions.

DATED THIS THE 3rd Day of December, 2014.

Sd/=

ASSISTANT REGISTRAR

Copy to :

1. Ms. Sushma Suri, Advocate
2. Mr. Shakil Ahmad Syed, Advocate,
3. Mr. Aftab Ali Khan, Advocate
4. Dr. V.P. Appan, Advocate,
5. Mr. P.K. Jayakrishnan, Advocate
6. Mr. Arvind Kumar Sharma, Advocate
7. Mr. Bijan Kumar Ghosh, Advocate
8. Ms. Sarla Chandra, Advocate
9. Mr. B.V. Balram Das, Advocate
10. Mr. Gaurav Kejriwal, Advocate
11. Mr. M.A. Chinnasamy, Advocate
12. Mr. P.N. Puri, Advocate
13. Mr. Anirudh Sharma, Advocate
14. Mr. Rahul Kaushik, Advocate
15. Mr. D.S. Mahra, Advocate
16. Mr. Raj Singh Rana, Advocate
17. Mrs. Anil Katiyar, Advocate
18. Mr. Sureshan P., Advocate
19. Mr. Shreekant N. Terdal, Advocate
20. Mr. Balraj Dewan, Advocate
21. Mr. Vikas Mehta, Advocate
22. Mr. Subaramonium Prasad, Advocate
23. Mr. Praijat Sinha, Advocate
24. Ms. Niranjana Singh, Advocate

ASSISTANT REGISTRAR

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