

ITEM NO.47

COURT NO.6

SECTION XIIA

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

Petition(s) for Special Leave to Appeal (C) No(s). 26140/2011

(Arising out of impugned final judgment and order dated 07/07/2011 in CRP No. 529/2011 passed by the High Court Of A.P. At Hyderabad)

M/S KAUSHIK COOP BUILDING SOCIETY

Petitioner(s)

VERSUS

SARA ABDUL GAFOOR & ORS.

Respondent(s)

(with appln. (s) for correction of typographical error, directions and modification of court's order and interim relief and office report)

WITH

SLP(C) No. 1632/2008

(With appln.(s) for permission to file lengthy list of dates and appln.(s) for impleadment and)

SLP(C) No. 7713/2008

(With appln.(s) for substituted service, impleadment as party respondent and appln.(s) for permission to file additional documents and Office Report)

SLP(C) No. 23724-23725/2008

(With appln.(s) for permission to file additional documents and appln.(s) for impleadment and appln.(s) for deletion of the name of respondent and appln.(s) for substituted service and Interim Relief and Office Report)

SLP(C) No. 27319-27325/2008

(With Office Report)

SLP(C) No. 26142/2011

(With appln.(s) for permission to file additional documents and appln.(s) for modification of court's order and appln.(s) for correction of typographical error, and appln.(s) for impleadment, Interim Relief and Office Report)

CONMT.PET.(C) No. 118/2013 In SLP(C) No. 26140/2011

(With appln.(s) for directions)

SLP(C) No. 29328/2010

(With Interim Relief and Office Report)

SLP(C) No. 26925/2010
 (With appln.(s) for impleadment, appln.(s) for permission and
 appln.(s) for permission and Interim Relief and Office Report)

Date : 16/03/2015 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J. CHELAMESWAR
 HON'BLE MR. JUSTICE R.K. AGRAWAL

For Petitioner(s) Mr. Dushyant A. Dave, Sr. Adv.
 Mr. V.V.S. Rao, Sr. Adv.
 Ms. Vijayshree Pattnaik, Adv.
 Mr. Sadineni Ravi Kumar, Adv.

Mr. Sunil Fernandes, Adv.
 Ms. Astha Sharma, Adv.

Mr. B. Adinarayana Rao, Sr. Adv.
 Mr. M. Srinivas R. Rao, Adv.
 Mr. Arun Devdas, Adv.
 Mrs. Sudha Gupta, Adv.

Ms. T. Anamika, Adv.

Ms. C. K. Sucharita, Adv.

For Respondent(s)

Mr. Ram Swarup Sharma, Adv.

Mrs. D. Bharathi Reddy, Adv.

M/s. T. T. K. Deepak & Co., Adv.

Mr. B. Adinarayana Rao, Sr. Adv.
 Mr. Y. Raja Gopala Rao, Adv.
 Mr. C.V.R. Rudhara Prasad, Adv.
 Ms. Y. vismai Rao, Adv.
 Mr. Hitendra Nath Rath, Adv.
 Mr. Sudheer Kumar Reddy, Adv.

Mr. G. Ramakrishna Prasad, Adv.
 Mr. Mohd. Wasay Khan, Adv.
 Ms. Filza Moonis, Adv.

Mr. Aman Sinha, Adv.
 Mr. Sateesh Gala, Adv.
 Mr. N. Raja Raman, Adv.

Mr. K. Maruthi Rao, Adv.
 Mrs. K. Radha, Adv.

Mrs. Anjani Aiyagari, Adv.

Mr. P.V. Venkat Reddy, Adv.

Mr. Sumanth Nookala, Adv.

For M/s. Palwai Venkat Law Associates, Adv.

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

List the Application (I.A.No. _____/2015) for substituted service in SLP(C)No.7713/2008 on 20.3.2015.

In I.A.No.14-15 in SLP(C) Nos.23724-23725 of 2008, Ms. Bina Madhvan, learned counsel accepts notice in these SLPs where the Kaushik Cooperative Housing Society is a respondent. Insofar as Respondent No.6 to 25, 31 to 42 and 46 to 52 in SLP(C)No.23724/2008 and Respondent No.7 to 20 and 23 to 24 in SLP(C)No.23725/2008, the applicant is also permitted to serve through the service in the same manner as indicated in the I.A.No.22-23/2015 in SLP(C)No.23724-23725/2008.

I.A.No.14-15/2008 stands disposed of accordingly.

I.A.NO.22-23 OF 2015 IN SLP(C)NO.23724-23725/2008

The application filed with the prayer as follows:

"(A) Allow the present application by permitting the Petitioner/Applicant to serve the un-served respondents i.e. Respondent Nos.3,4,26-30, 43-45 & 56 in SLP(C)NO.23724 OF 2008 AND Respondent Nos.3,21 & 22 in SLP(C)No.23725 of 2008 by substituted service, i.e. by way of publication in the local daily newspapers - Hindu (English Daily) and Prabha (Telegu Daily).

(B) Pass any order(s) which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.

I.A.No.22-23/2015/2015 in SLP(C)No.23724-23725/2008 is disposed of directing the petitioner-applicant to serve the respondents mentioned in the said prayer by publication in the two local daily newspapers, namely, "Hindu" (English Daily) and "Ennadu" (Hyderabad Edition).

In so far as SLP(C)No.27319-27325/2008 is concerned, admittedly, a large number of respondents remained unserved. The petitioner is directed to identify whether these respondents have already been served in any of the connected SLPs even as respondents/petitioner in any other connected SLP and represented by any counsel. If these respondents are represented by an Advocate-on-Record in any one of the SLP, the petitioner is permitted to serve such of those respondents who are represented by the counsel. If such respondents are not yet represented by any counsel, then the petitioner is at liberty to serve by substituted service.

List all the SLPs after summer vacation.

[O.P. SHARMA]
COURT MASTER

[TAPAN KR. CHAKRABORTY]
COURT MASTER