



16.4.2013 with SLP(C) No. 4518/2013 when the Court was pleased to pass the following Order:-

"SLP(C) NO.26905/2010

The ld. Counsel for respondent No.2 states that counter affidavit has been filed on 15.4.2013.

Respondent Nos. 1 and 3 are served but there is no appearance on their behalf.

Respondent No.4 is duly served on 20.2.2013 but there is no appearance.

List before the Hon'ble Court in accordance with rules.

SLP(C) NO.4518/2012

Being fresh matter, no order is being passed."

**SLP(C) No. 4518/2013**

The matter above mentioned was listed before the Hon'ble Court on 18.2.2013 when the Court was pleased to pass the following Order:-

"Post along with SLP (C) No. 26905/2010, after two weeks."

It is submitted that counsel for the petitioner has on 11.7.2013 filed application for directions with annexures A-1 to A-10 (colly) as seprate volume (registered as I.A. No. 2) and the same is being circulated herewith.

**SLP(C) No. 8138/2013**

The matter above mentioned was listed before the Hon'ble Court on 8.3.2013 when the Court was pleased to pass the following Order:-

"Issue notice.

Mr. Praveen Agrawal, Advocate-on-record, accepts notice on behalf of respondent No.8.

In the meantime, no third party interest would be created. Direction with regard to the amendment of the bye-laws shall remain stayed."

It is submitted that pursuant to aforesaid Order, show cause notice was issued to respondent Nos. 1 to 7 and 9 to 11 by registered AD and respondent No. 8 through his appearing counsel on 29.4.2013. AD card duly signed has been received from respondent Nos. 1 and 4 but no one has entered appearance so far. Unserved cover with postal remarks 'left without address' has been received from respondent No. 3.

..3/-

..3..

It is further submitted that Mr. Ashwani Kumar, Advocate has on 17.8.2013 filed vakalatnama/appearance on behalf of respondent No. 5 but he has not filed counter affidavit so far. Counsel appearing for respondent No. 8 has also not filed

counter affidavit so far. No one has entered appearance on behalf of respondent Nos. 1 and 4 though served with notice. Nothing has been received from respondent Nos. 2, 6, 7, 9 to 11 so far.

It is further submitted that counsel for the petitioner has on 30.7.2013 filed an application for substitution to bring on record the Lrs. of deceased respondent No. 3 (barred by time by 170 days) without filing application for condonation of delay. The application was found defective and counsel was also asked to cure the defects vide this Registry's letter dated 2.8.2013 but needful has not been done so far. However, application for substitution (unregistered) is being circulated herewith.

Service is not complete

The matter above mentioned was mentioned before the Hon'ble Court on 12.7.2013 when the Court was pleased to pass the following Order:-

"List the matter alongwith SLP(C) NO. 4518/2013, SLP(C) NO. 9015/2010 AND SLP(C) NO. 26905/2010 with I.As. on 15.7.2013."

It is submitted that vide above Order these matters have been tagged together.

**SLP(C) No. 9015/2010**

Pursuant to this Court's order dated 26.4.2010 show cause notice has been issued to Respondent No.2 through his counsel and to Respondent No.1 on 26.5.2010 by usual mode. Counsel appearing for Respondent No.2 has filed Counter Affidavit and the same has been included in SLP paper books. Nothing has been received in respect of Respondent No.1.

For non-completion of service on Respondent No.1 dasti notice in respect of unserved Respondent No.1 was issued to counsel for the petitioner on 19.7.2011. Mr. B.V. Balaram Das, Advocate has on 20.1.2012 filed Vakalatnama/appearance on behalf of Respondent No.1 but he has not filed Counter Affidavit so far.

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For non-filing of Counter Affidavit by the counsel appearing for Respondent No.1 the matter was listed before the Court of Ld. Registrar on 25.8.2011, when the Court was pleased to pass the following order:-

"Service is complete. Respondent No. 2 has filed Vakalatnama and counter affidavit. No further steps are required as submitted by the contesting parties. Hence, place the matter before the Hon'ble Court, as per Rule."

It is submitted that the matter was mentioned before the Hon'ble Court on 13.1.2012, when the Court was pleased to pass the following order:-

"On mentioning, let this matter be taken on board. We are informed that this matter is otherwise ready for hearing. Accordingly, let the same be listed for final disposal."

It is further submitted that counsel for the petitioner has on 5.9.2012 filed Rejoinder Affidavit with annexure RA-1 with the leave of Hon'ble Court alongwith application for permission to file Rejoinder Affidavit to the Counter Affidavit filed by Respondent No.2 and application for permission to file annexure RA-1 as additional documents to the Rejoinder Affidavit. The said applications have been registered as I.A.Nos.4 & 5. Rejoinder Affidavit as well as applications have been included in respective SLP Paper Books.

Service is complete.

The matters above mentioned were mentioned before the Hon'ble Court on 2.8.2013 when the Court was pleased to pass the following Order:-

"Let the matters be listed for final disposal on 22nd August, 2013.

Till then, interim order dated 15th July, 2013 shall continue."

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

DATED THIS THE 21<sup>st</sup> DAY OF AUGUST, 2013.

**DEPUTY REGISTRAR.**

COPY TO:

1. Ms. Garima Prasad, Advocate
2. Mr. Ashwani Kumar, Advocate

**DEPUTY REGISTRAR.**

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