

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

PETITIONS FOR SPECIAL LEAVE TO APPEAL (C) Nos. 12544, 12545,
12548 & 35812-15/2013

WITH
PRAYER FOR INTERIM RELIEF

AND
INTERLOCUTORY APPLICATION Nos. 3-6
(Applications for impleadment filed by Mr.K.Krishna
Kumar, Advocate in SLP(C) Nos.35812-15/2013

STATE OF H. P. & ANR. ...PETITIONERS
VERSUS
RAVINDER KUMAR & ORS. ETC. ...RESPONDENTS

OFFICE REPORT

The matters above mentioned were listed before the Hon'ble Court on 10.02.2014, when the Court was pleased to pass the following Order:-

"Dr. Rajeev Dhawan, learned senior counsel for the petitioners in S.L.P. (C) Nos. 35812-35815 of 2013 brought to our notice two orders of the High Court, one in C.W.P. No. 2693 of 2010, titled as "*Ramesh Lal and others vs. State of H.P. and others*" and other connected matter wherein the High Court directed disbursement of the entire arrears with interest @ 9% p.a. and the other in C.W.P. No. 5754 of 2010 - *Jaya Devi and others vs. State of Himachal Pradesh and others* wherein the High Court directed that actual monetary benefits would be restricted to 36 months prior to the filing of the writ petition and continued thereafter. Apparently, there is e inconsistency in the two orders.

2. Issue notice.

3. Mr. Devendra Singh, advocate waives service for the respondent Nos. 1 and 24 in SLP (C) No. 12544 of 2013 and respondent Nos. 2 & 3 in SLP (C) No. 35812 of 2013.

4. Notice shall be issued only to the unrepresented respondents.

5. Counter-affidavit may be filed within six weeks.

6. Rejoinder-affidavit, if any, may be filed by the petitioners within four weeks therefrom.

7. Subject to the petitioners' notionally fixing the monetary benefits from the due date and paying actual monetary benefits limited to 36 months prior to the filing of the writ petition and continued thereafter, the operation of the impugned order shall remain stayed.

8. The payment in compliance of the above shall be made within three months from today."

It is submitted that pursuant to aforesaid order and order dated 14.7.2014 of Hon'ble judge in Chambers, in SLP(C) Nos.12544, 12545 and 12548/2013, show cause notice was issued to all the respondents in all the SLPs by registered A.D.

Service report of each matter is given below:-

SLP(C) No. 12544/2013:-

It is submitted that there are 26 respondents in this SLP. Mr. Devender Singh, Advocate has filed vakalatnama/appearance as well as counter affidavit on behalf of all the respondents and counter affidavit has been included in SLP paper books. Counsel for the petitioners has not filed rejoinder affidavit so far.

Service is complete.

SLP(C) No. 12545/2013

It is submitted that there are 20 respondents in this SLP. Lrs. of deceased respondent No.15 has been brought on record as respondent Nos.15(a) to 15(c) vide Order dated 17.03.2016 of Hon'ble Judge in Chambers, accordingly cause title has been amended and included in SLP paper books. Mr. Devender Singh, Advocate has filed vakalatnama/appearance on behalf of all the respondents but has not filed counter affidavit despite due opportunities afforded to him by the Court of Ld. Registrar.

Service is complete.

SLP(C) No. 12548/2013

It is submitted that there are 5 respondents in this SLP. Mr. Devender Singh, Advocate has filed vakalatnama/appearance on behalf of all the respondents but has not filed counter affidavit despite due opportunities afforded to him by the Court of Ld. Registrar.

Service is complete.

SLP(C) No. 35812/2013

It is submitted that there are 4 respondents in this SLP. Mr. Devender Singh, Advocate has filed vakalatnama/appearance on behalf of all the respondents but has not filed counter affidavit despite due opportunities afforded to him by the Court of Ld. Registrar.

Service is complete.

SLP(C) No. 35813/2013

It is submitted that there are 15 respondents in this SLP. Lrs. of deceased respondent No. 4 has been brought on record as respondent Nos. 4(a) to 4(b) vide Order dated 17.03.2016 of Hon'ble Judge in Chambers, accordingly cause title has been amended and included in SLP paper books. Respondent No. 1 has been served through concerned District/Trial Court vide order dated 25.11.2014 of Ld. Registrar's Court but no one has entered appearance so far. M/s. M.C. Dhingra and Devender Singh, Advocates have filed vakalatnama/appearance on behalf of respondent Nos.2 to 5, 6, 7, 9 to 11, 13 to 15 and 4(a) & 4(b) respectively but have not filed their counter affidavits despite due opportunities afforded to him by the Court of Ld. Registrar. A.D. Cards duly signed by respondent Nos. 8 and 12 have been received but no one has entered appearance so far.

Service is complete.

SLP(C) No. 35814/2013

It is submitted that there are 12 respondents in this SLP. Respondent No. 1 has been served through concerned District/Trial Court vide order dated 25.11.2014 of Ld. Registrar's Court but no one has entered appearance so far.

M/s. M.C. Dhingra and Devender Singh, Advocates have filed vakalatnama/appearance on behalf of respondent Nos. 3 to 5, 7 to 9, 11 and 10 respectively but have not filed their counter affidavits despite due opportunities afforded to him by the Court of Ld. Registrar. A.D. Cards duly signed by respondent Nos. 2, 6 and 12 have been received but no one has entered appearance so far.

Service is complete.

SLP(C) No. 35815/2013

It is submitted that there are 28 respondents in this SLP. Mr. M.C. Dhingra Advocate has filed vakalatnama/appearance on behalf of all the respondents but has not filed counter affidavit despite due opportunities afforded to him by the Court of Ld. Registrar.

It is lastly submitted that in SLP(C) Nos.35812-15/2013 (I.A. No. 3-6) applications for impleadment to implead the applicant Nos. 1 to 31 as party respondent filed by Mr. K. Krishan Kumar, Advocate alongwith Vakalatnama/Appearance on their behalf was listed before the Hon'ble Judge-in-Chambers on 17.03.2016, when His Lordship was pleased to pass inter-alia the following order:-

".....

Impleadment application be listed before the Court."

Service is complete.

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

DATED THIS THE 28th DAY OF APRIL, 2017.

ASSISTANT REGISTRAR

COPY TO:

1. Mr. Varinder Kumar Sharma, Adv. Lib-I
2. Mr. Devendra Singh, Adv. Ch. No. 430
New Lawyers Chamber, SCI
3. Mr.M.C. Dhingra,Adv.
- 4.Mr.K. Krishan Kumar,Adv.

ASSISTANT REGISTRAR