

LISTING ON 21.11.2016
COURT NO. 11
ITEM NO. 52

SEC.IV-A

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 5911-5912 OF 2010 AND 29553-29554 OF 2011

WITH PRAYER FOR INTERIM RELIEF

AND

INTERLOCUTORY APPLICATION NO. 3 in SLP(C) Nos. 5911-5912/2010

(Application for directions)

AND

INTERLOCUTORY APPLICATION NO.5 in SLP(C) Nos. 5911-5912/2010

(Application for clarification of Court's order dated 18.07.2011)

AND

INTERLOCUTORY APPLICATION NOS. 15-16 in SLP(C) Nos. 5911-5912/2010

(Application for impleadment as party respondent)

AND

INTERLOCUTORY APPLICATION NO.17 in SLP(C) Nos. 5911-5912/2010

(Application for permission to file additional documents i.e. Annexures A1 to A3)

AND

INTERLOCUTORY APPLICATION NO.18 in SLP(C) Nos. 5911-5912/2010

(Application for exemption from filing OT of Annexures A-1 and A-2)

AND

INTERLOCUTORY APPLICATION NOS.19-20 in SLP(C) Nos. 5911-5912/2010

(Application for permission to file additional documents)

AND

INTERLOCUTORY APPLICATION NOS. 5-6 in SLP (C) Nos. 29553-554 of 2011

(Application to appear and argue as party in-person in SLP(C) No. 29553/2011)

AND

INTERLOCUTORY APPLICATION NOS. 7-8 in SLP (C) Nos. 29553-554 of 2011

(Application for exemption from filing official translation of annexures R/21-1 to R/21-3 filed alongwith Counter Affidavit)

AND

INTERLOCUTORY APPLICATION NOS. 9-10 in SLP (C) Nos. 29553-554 of 2011

(Application for permission to file additional documents)

N.A.L. Layout Residents Association Et.c Etc.

...Petitioner

-Versus-

Bangalore Development Authority & Ors., Etc. Etc.

...Respondents

REVISED OFFICE REPORT

SLP Nos. 5911-5912/2010

The matters above mentioned were listed before the Hon'ble Court on 15.02.2010, when the Court was pleased to pass the following Order:

**“Permission to file SLP granted.
Delay condoned. Issue notice.
Tag with SLP(C) Nos. 20190-20191/2009.”**

Accordingly show cause notice was issued to all the respondents. Service position of notice in each matter is as under:

SLP(C) No. 5911/2012

There are 23 respondents. Mr. A.S. Kulkarni, Advocate has filed vakalatanama/memo of appearance on behalf of Respondent No. 1 and also filed counter affidavit and the same is included in paper books. Dr.(Mrs) Vipin Gupta, Advocate has filed vakalatanama/memo of appearance on behalf of Lrs. of deceased respondent No. 2 and also filed counter affidavit, though further opportunity to file counter affidavit is declined by Registrar Court order on 07.01.2016.

Ms. Anitha Shenoy, Advocate has filed vakalatanama/memo of appearance on behalf of Respondent No. 3, but counter affidavit is not filed so far. Mr. R.S. Srivastava, Advocate has filed vakalatanama/memo of appearance in respect of Respondent Nos. 11-13 and 15-18, but counter affidavit is not filed so far. Mr. Navin Prakash, Advocate has filed vakalatanama/memo of appearance in respect of respondent No. 14, but both have not filed counter affidavit so far. Respondent Nos. 4-10 and 19-23 have been deleted vide Order dated 25.01.2011 of Hon'ble Judge in Chambers.

Service is complete.

SLP(C) No. 5912/2012

There are 11 respondents. Ms. Anitha Shenoy, Advocate has filed vakalatanama/memo of appearance on behalf of Respondent No. 1. Mr. A.S. Kulkarni, Advocate has filed vakalatanama/memo of appearance on behalf of Respondent No. 2 & 3, but no counter affidavit is filed by them so far. Respondent Nos. 4-11 are served with the notice by paper publication, but no one has entered appearance on their behalf so far.

Service is complete.

It is further submitted that Ms. N. Annapoorani, Advocate has on 16.2.2015 filed an application for impleadment as party respondent alongwith vakalatanama/memo of appearance on behalf of proposed applicant to implead as party respondent.

It is lastly submitted that counsel for the petitioner has on 18.11.2016 filed application for permission to file additional documents alongwith Annexures (registered as I.A. Nos. 19-20) and copy of the same is being circulated herewith.

SLP Nos. 29553-29554 OF 2011

SLP (C) No. 29553/11

There are 23 respondents. Mr. Ankur S. Kulkarni Advocate has filed vakalatnama/ Memo of appearance on behalf of respondent No. 1 but no counter affidavit is filed so far. Respondent Nos. 2, 12 and 20 have been served with notice through paper publication, but no appearance is filed so far. Ms. Anitha Shenoy, Advocate has filed vakalatnama/Memo of appearance on behalf of respondent no. 3, but no counter affidavit is filed so far. Respondent Nos. 4 to 11, 13, 16 to 19 and 22 have been served with notice by regd. A.D. Post, but no appearance is filed on their behalf so far. Mr. Navin Prakash, Advocate has filed vakalatnama/Memo of appearance on behalf of respondent Nos. 14 and 15, but no counter affidavit is filed so far. Mr. R. Gopalakrishnan Advocate has filed vakalatnama/Memo of appearance on behalf of respondent no. respondent No. 23 and also filed counter affidavit. Respondent No. 21 is represented as in-person and has filed an application to appear and argue as party in person alongwith vakalatnama/Memo of appearance. The application had been registered as I.A. Nos. 5-6/2016 and placed before the Ld. Registrar for interaction and the Interaction Report dated 05.03.2016 is enclosed herewith for perusal of the Hon'ble Court.

It is submitted that respondent No. 21, in-person has on 4.01.2016 filed counter affidavit alongwith application for exemption from filing official translation of Annexures R/21-1 to R/21-3 filed alongwith the counter affidavit. The same has been registered as IA Nos. 7-8/2016, which has been included in the paper books. She has also filed application to file additional documents and the same has been registered as IA Nos. 9-10/2016 and included in the paper books.

It is submitted that respondent No. 2 (Munniyamma) has expired and the her Lrs. have been brought on record vide order dated 24.08.2016 as respondent nos. 2(a) to 2(g). Dr. (Mrs) Vipin Gupta, Advocate has filed vakalatnama/Memo of appearance and counter affidavit on behalf of said Lrs. nos. 2(a) to 2(g).

Service of show cause notice is complete.

SLP (C) No. 29554/11

There are 11 respondents. Mr. A.S. Kulkarni, Advocate has filed vakalatnama/ Memo of appearance on behalf of respondent No. 1 and 2 but no counter affidavit is filed so far. Respondent Nos. 3 , 7 to 10 have been served with notice through paper publication, but no appearance is filed so far. Respondent Nos. 4 to 6 have been served

with the notice through regd. A.D. Post, but no appearance is filed so far. Ms. Anitha Shenoy, Advocate has filed vakalatnama/ Memo of appearance on behalf of respondent No. 11, but no counter affidavit is filed so far.

Service of show cause notice is complete.

The matters above mentioned are, therefore listed before the Hon'ble Court with this office report.

Dated this the 19th day of November, 2016.

ASSISTANT REGISTRAR

Copy to: M/s Khaitan & Co., Advocates
Mr. A. S. Kulkarni, Advocate
Mr. Naveen Prakash, Advocate
Ms. Anitha Shenoy, Advocate
Mr. R.Gopalakrishna, Advocate
Dr. (Mrs) Vipin Gupta, Advocate
Dr. Srilatha M.C., Respondent-in-person
1091, New Extn. Taluk: Kolar,
District: Kolar, Karnataka

ASSISTANT REGISTRAR