

**SECTION XVII**

MATTER FOR : 31.08.2015

R.COURT NO.: 02

ITEM NO. : 88

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

**CIVIL APPEAL NO. 5009 2012**

Ajmer Vidyut Vitran Nigam Limited ..... Appellant  
VERSUS  
M/s Fashion Suitings Limited ..... Respondent

**OFFICE REPORT FOR PRE-FINAL HEARING**

The matter above-mentioned was listed before the Hon'ble Court on 17<sup>th</sup> August, 2012, when the Hon'ble Court was pleased to admit the appeal.

The matter above-mentioned was listed before the Ld. Registrar's Court on 12<sup>th</sup> May, 2015, when the Court passed the following order:

**"Ld. Counsel for the appellant shall file the statement of case within a period of 45 days and the Ld. counsel for the respondent shall file the same within a period of 35 days thereafter.**

**List again on 31.08.2015."**

It is submitted that the sole respondent in the matter is represented through Mr. S.K. Tripathy, Advocate. The service of NLPA is complete in the matter.

It is further submitted that the counsel for the appellant and sole respondent have not filed the statement of case so far.

It is also submitted that proviso 32(2) of Order XIX of New SCR 2013 read as "Provided that where an appellant and respondent who has entered appearance, does not file a statement of case within the time, as provided in sub-rule(1) it shall be presumed that the appellant and respondent does not desire to lodge statement of case in the appeal." No application is pending.

It is lastly submitted that original record in the matter has not been called and will be requisitioned, only if it is directed by the Hon'ble Court.

The matters above-mentioned are listed before the Registrar Court for pre-final hearing under Order V(I) Rule 30 of SCR 2013 with this office report.

DATED THIS THE 28TH DAY OF AUGUST, 2015.

ASSISTANT REGISTRAR

Copy to : Mr. Pratibha Jain, Advocate  
Mr. S.K. Tripathy, Advocate

ASSISTANT REGISTRAR

