

ITEM NO.99

REGISTRAR COURT. 2

SECTION IX

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

B E F O R E T H E R E G I S T R A R M K H A N J U R A

Civil Appeal No(s). 4378/2008

BAJAJ AUTO LIMITED & ANR.

Appellant(s)

V E R S U S

UNIT TRUST OF INDIA & ORS.

Respondent(s)

Date : 05/09/2014 This appeal was called on for hearing today.

For Appellant(s) Ms. Neha Agarwal,Adv.
Mr. E. C. Agrawala,Adv.

For Respondent(s) Mr. Bhargava V. Desai,Adv.
Mr. Anmol Chandan,Adv.
Mr. Sanjay Kapur,Adv.

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

The office report indicates that the Respondent Nos. 2 to 4 have have already filed the statement of case. The office report further states that service is complete as against the respondent No.1 but no one has entered appearance on his behalf.

The office report proceeds to state that the respondent No.5 has not filed the statement of case though he has been notified to do so on 18.12.2009. Order XIX Rule 32 of the Supreme Court Rules,2013 provides that where the respondent has entered appearance and he does not file a statement of case within the time, as provided in Sub Rule(1) (i.e. 35 days) it shall be presumed that he does not desire to lodge the same. In view of the rule position cited above no further opportunity for filing

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the statement of case is warranted to be given to the said respondent. Viewed thus, the matter shall be processed for listing before the Hon'ble Court under the rules.

(M K HANJURA)
Registrar

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