

SECTION XVII

MATTER FOR :
C.COURT NO.:
ITEM NO. :

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 3773 AND 4518-23 OF 2010

Securities Exchange Board of India & Ors. ...Appellants
VERSUS
Dilip S. Pendse & Ors. ...Respondents

OFFICE REPORT FOR PRE-FINAL

The matters above-mentioned was listed before the Hon'ble Court on 14.05.2010, when the court was pleased to pass the following order:-

"Permission to file Civil Appeal No.....D1675/2010 and additional documents is granted.

Exemption allowed.

Delay condoned.

The civil appeals are admitted.

Mr. Gaurav Agrawal, learned counsel, accepts notice on behalf of Shri Dilip S. Pendse.

Issue notice on the interlocutory application for stay preferred by the appellant in Civil Appeal No.....D1675/2010.

Dasti service, in addition, is permitted.

It is made clear that the question of maintainability is kept open for the time being.

Place the matter regarding stay in July, 2010.

Leave is granted to amend the appeal."

CIVIL APPEAL NO. 3773 OF 2010

It is submitted that the sole respondent in the matter is represented through Mr. Gaurav Agrawal, advocate. The service of NLPA is complete.

It is further submitted that counsel for the appellant has filed the statement of case but the counsel for the sole respondent has not filed the statement of case.

It is also submitted that proviso 32 (2) of Order XIX of New SCR 2013, "Provided that where as 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 respondent does not desire to lodge statement of case in the appeal.

CIVIL APPEAL NO. 4518-23 OF 2010

It is submitted that there are two respondents in the matters. Respondent No. 1 in all the appeals is represented through Mr. Gaurav Agrawal, advocate. Respondent No. 2 has been served with notice but no one has entered appearance so far. The service of NLPA is complete.

It is further submitted that counsel for the appellant has not filed the statement of case so far but the counsel for the respondent no. 1 has filed common statement of case in C.A. 3769 of 2010.

It is also submitted that proviso 32 (2) of Order XIX of New SCR 2013, "Provided that where as appellant, 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 does not desire to lodge statement of case in the appeal.

It is lastly submitted that common Original record in both the matters have been received in C.A. 3769/2010 and sent back to the concerned Tribunal as per Registry's circular dt. 03.12.2014.

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 21ST DAY OF JULY, 2015.

ASSISTANT REGISTRAR

Copy to: M/s K.J. John & Co., Advocate
Mr. Gaurav Agrawal, Advocate
M/s Karanjawala & Co., Advocate

ASSISTANT REGISTRAR