

SECTION XVII

MATTER FOR :
R/COURT NO.
ITEM NO.

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 4289 AND 4504-4508 OF 2008

Central Electricity Regulatory Commission Etc. ...Appellants

VERSUS

Damodar Valley Corporation & Ors Etc. ...Respondents

OFFICE REPORT FOR PRE-FINAL HEARING

The matters above mentioned were listed before the Hon'ble Court on 6th August, 2012 when the Hon'ble Court was pleased to pass the following order:

"The appeals are admitted.

List the appeals for hearing after service is complete."

CIVIL APPEAL NO. 4289 OF 2008

It is submitted that there are eight respondents in the matter. Respondent No. 1 is represented through Mr. K. V. Mohan, Advocate. Service of Notice of Lodgment of Petition of Appeal is complete upon rest of the Respondents through certificate of service.

It is further submitted that Mr. Nikhil Nayyar, Counsel for Appellant has on 16th July, 2013 filed statement of case but Mr. K. V. Mohan, counsel for Respondent No. 1 has not filed statement of case so far. Original record was returned vide Registry Circular dated 3.12.2014.

Service is complete.

It is lastly submitted that proviso 32(2) of Order XIX of New SCR 2013 read as "Provided that where as Appellant and Respondent, who have 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 do not desire to lodge statement of case in the Appeals.

CIVIL APPEAL NOS. 4504-4508 OF 2008

It is submitted that there are fifteen Respondents in these matters. Common Respondent No. 1 in all the Civil Appeal Nos. 4505-4508 of 2008 is represented through Mr. K.V.Mohan, Advocate and Respondent No. 6 in Civil Appeal No. 4508 of 2008 is represented through Mr. Sridhar Potaraju, Advocate. The service of the notice of lodgment of petition of appeal is complete upon rest of the Respondent through certificate of service. Original record was returned vide Registry's Circular dated 3.12.2014.

The matter above mentioned were lastly listed before the Judge in Chamber on 11th November, 2013 as neither appellants nor respondents file statement of case, when the Court was pleased to pass the following order:

"Last opportunity is granted to the appellants to file the statement of case within six weeks and to the respondents within eight weeks."

It is lastly submitted that proviso 32(2) of Order XIX of New SCR 2013 read as "Provided that where as Appellant and Respondent, who have 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 do not desire to lodge statement of case in the Appeals.

The matters above-mentioned is listed before the Ld. Registrar Court under Order V Rule 30 for pre-final hearing with this Office Report.

Dated this the 26th day of October, 2015.

ASSISTANT REGISTRAR

Copy to : Mr. Nikhil Nayyar, Advocate
Mr. K. V. Mohan, Advocate
Mr. Anil Kr. Jha, Advocate
Mr. Rajiv Shankar Dvivedi, Advocate

ASSISTANT REGISTRAR