

LISTED ON : 02-05-2016  
COURT NO. :12  
ITEM NO. : 5

SECTION XIIA  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION Nos. 5-6 in SLP(C) No. 18755-56 of 2013  
(Application for vacation of status quo)

AND

INTERLOCUTORY APPLICATION Nos. 55-60 in SLP(C) No. 9996-10001 of 2015  
(Application for directions)

IN

**PETITION FOR SPECIAL LEAVE TO APPEAL (C) Nos. 18755-56 of 2013 and 9996-10001 of 2015**

KSB ALI ETC.

...PETITIONER

-VERSUS-

STATE OF A.P & ORS.

..RESPONDENTS

**OFFICE REPORT**

The matters above-mentioned were listed before the Hon'ble Court on 10<sup>th</sup> May, 2013 and 7<sup>th</sup> March, 2014 when the Hon'ble Court was pleased to pass the following order :

**10<sup>th</sup> May, 2013**

“Taken on board.

Delay condoned.

Issue notice returnable in ten weeks.

Dasti, in addition to the ordinary process, is permitted.

In the meanwhile, status quo with regard to subject property shall be maintained by all concerned in all respects.”

**7<sup>th</sup> March, 2014**

“In this group of matters, Registry has reported that some of the respondents are not yet served and there are applications for deletion of certain respondents.

Applications for deletion of the respective respondents are granted. Amended cause titles shall be filed within two weeks.

Advocates-on-record for the petitioners shall take steps for service on unserved respondents returnable in ten weeks.

Dasti, in addition to the ordinary process, is permitted.

List this group of matters thereafter.

Interim order to continue in the meanwhile.”

Subsequently, SLPs above-mentioned alongwith group matters were listed before the Hon'ble Court on 26<sup>th</sup> April, 2016, when the Hon'ble Court was pleased to pass the following order :

“We find that in some of the Special Leave Petitions service is not complete. Learned counsel for the petitioners in all these cases shall ensure that service is complete before the next date of hearing.

List all these matters for hearing on 19.07.2016.”

It is submitted that Mr. S. Udaya Kumar Sagar, Advocate has on 16<sup>th</sup> December, 2015 filed an application for vacation of status quo on behalf of Respondent No. 8 and the same is registered as IA Nos. 5-6 of 2015 and same is listed before Hon'ble Court on 29<sup>th</sup> January, 2016, when the Hon'ble Court was pleased to pass the following order :

“In view of letter circulated by the learned counsel for the petitioner seeking four weeks' time to file reply to the application for vacation of status-quo filed by the respondents, the Interlocutory Applications are adjourned for four weeks for the purpose.”

It is submitted to the Hon'ble Court that no reply to application for vacation of status quo has been filed in SLP(C) Nos. 18755-56 of 2013.

It is further submitted that Mr. Shakil Ahmed Syed, Counsel for the Petitioner has on 4<sup>th</sup> March, 2016 filed an application for directions in SLP(C) Nos. 9996-10001 of 2015 and the said application is registered as IA Nos. 55-60/2015 and the same is placed before Hon'ble Court's kind perusal.

Service position of SLPs are as under:

**SLP(C ) Nos. 18755-18756 of 2013:**

It is submitted that there are seven respondents in SLP(C) No. 18755 and eight respondents in SLP(C) No. 18756 of 2013. Respondent Nos. 1 to 7 are common in both matters. M/s. Venkat Palwai Law Associates, Advocates has filed vakalatnama/appearance and counter-affidavit on behalf of Respondent Nos. 1 to 6 and the counter affidavit has been included in paper books. Service is complete on respondent no. 7 in both SLPs through affidavit of service, but no one has entered appearance so far.

It is further submitted that Mr. S. Udaya Kumar Sagar, Advocate has on 28<sup>th</sup> August, 2014 filed vakalatnama/appearance on behalf of respondent no. 8 in SLP(C ) No. 18756 of 2013 after taking “No objection” from Mr. D. Mahesh Babu, Advocate. Counter affidavit had been filed on behalf of respondent no. 8 by the

then Advocate, Mr. D. Mahesh Babu. He has requested to treated the same counter affidavit in all SLPs on behalf of Hyderabad Metropolitan Development Authority.

Service is complete.

**SLP(C) Nos. 9996-10001 of 2015**

The matters above-mentioned were listed before the Hon'ble Court on 27<sup>th</sup> March, 2015, when the Hon'ble Court was pleased to pass the following Order:-

“Heard.

Permission to file the special leave petition is granted.

Issue notice.

Notice shall issue in the application for substitution and also in the application for condonation of delay in filing substitution.

Since respondents no.8 onwards are only proforma respondents, notice to them is dispensed with in the present special leave petition.

Tag along with SLP(C) Nos.18755-18756 of 2013.”

It is submitted that there were 27 Respondents in SLP(C) No. 9996 of 2015, 22 Respondents in SLP(C) No. 9997 of 2015, 70 Respondents in SLP(C) No. 9998 of 2015, 20 Respondents in SLP(C) No. 9999 of 2015, 28 Respondents in SLP(C) No. 10000 of 2015 and 31 Respondents in SLP(C) No. 10001 of 2015 and notice to respondent no. 8 onwards is dispensed with in all the SLPs in view of this Hon'ble Court's Order dated 27<sup>th</sup> March, 2015.

It is further submitted that Mr. S. Udaya Kumar Sagar, Advocate has filed vakalatname/appearance on behalf of Respondent No. 7 in SLP(C) No. 9997 of 2015, SLP(C) No. 9998 of 2015, SLP(C) No. 9999 of 2015 respectively but he has not filed counter affidavit on their behalf.

It is also submitted that Service is complete on common Respondent No. 1, 2, 4, and 5 in all SLP and Respondent No. 7 in SLP(C) No. 10000 of 2015 through A.D. card but no one has entered appearance so far. A period of more than thirty days has already elapsed from the date of issue of notice by registered post , but neither A.D card nor unserved registered cover has been received back from common Respondent Nos. 3, 6 in all SLPs and Respondent No. 7 in SLP(C) No. 10001 of 2015.

It is also submitted that unserved cover has been received from Respondent No. 7 with postal remarks “expired” in SLP(C) No. 9996 of 2015, but Counsel for the Petitioner has not filed application for substitution so far.

It is also submitted that Mr. S. Udaya Kumar Sagar, Advocate has filed vakalatname/appearance on behalf of Respondent Nos. 15, 16, 19 in SLP(C) No.

9996 of 2015, SLP(C) No. 10000 of 2015, SLP(C) No. 10001 of 2015 respectively. However notice to respondent no. 8 onwards is dispensed with in all the SLPs in view of this Hon'ble Court's Order dated 27<sup>th</sup> March, 2015.

Service is not complete on Common Respondent Nos. 3, 6 in all SLPs and Respondent No. 7 in SLP(C) No. 9996 and 10001 of 2015.

The aforesaid applications in the matters are listed before the Hon'ble Court with this Office Report.

Dated this, the 29<sup>th</sup> day of April, 2016.

ASSISTANT REGISTRAR

Copy to:

1. Mr. P.N Puri, Advocate  
17, Lawyers Chambers
2. Mr. S. Udaya Kumar Sagar, Advocate  
18-Central Lane, 1<sup>st</sup> Floor, Bengali Market, New Delhi-01
3. Mr. Shakil Ahmed Syed, Advocate  
201, New Lawyers Chambers
4. M/s. Venkat Palwai Associates, Advocate

ASSISTANT REGISTRAR