

REGISTRAR COURT NO.1

LISTED ON : 21-04-2016

ITEM NO. : 24

SECTION XIIIA
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (C) Nos. 19156-19158 of 2013, 27299-27301 of 2013, 27561-27563 of 2013 and SLP(C) 38025 of 2015 and 9996-10001 of 2015

WITH
PRAYER FOR INTERIM RELIEF

AND
INTERLOCUTORY APPLICATION Nos. 43-45
(Application for Substitution of Petitioner SLP(C) Nos. 9996-10001 of 2015)

AND
INTERLOCUTORY APPLICATION Nos. 46-48
(Application for condonation of delay in filing substitution application in SLP(C) No. 9996-10001 of 2015)

SHAH NIZAM BANO & ORS.

...PETITIONERS

-VERSUS-

GOVT. OF A.P. REP BY CHIEF SEC.& ORS.

..RESPONDENTS

OFFICE REPORT

The matters alongwith main matters above-mentioned were listed before the Ld. Registrar Court on 4th February, 2016, when the following order was passed :-

"SLP(C) No. 19156/2013

Opportunity to respondent no. 1 to 6 for filing counter affidavit has already been declined.

None appeared for respondent no. 7 despite due service.

Respondent nos. 8 to 23 have already been deleted by Hon'ble Court's order dated 07.03.2014 in all the matters.

SLP(C) No. 19157/2013

Opportunity to respondent no. 2 to 7 for filing counter affidavit has already been declined.

Respondent no. 1 has already adopted counter affidavit filed in petition no. 18755-756/2013.

SLP(C) No. 19158/2013'

None appeared for respondent nos.1 to 5, 7 to 12, and 19 despite due service.

Respondent Nos. 20 to 35 have already been deleted by Hon'ble Court's order dated 07.03.2014.

Last opportunity is granted to the learned counsel for the petitioner for taking fresh steps to effect service of respondent no. 6. Be taken within three weeks' time. Notice be issued thereafter.

SLP(C) No. 19158/2013

Opportunity to respondent no. 1 to 6 for filing counter affidavit has already been declined.

Respondent no. 7 to 9 have already been deleted.

SLP(C) No. 19158/2013

Opportunity to respondent no. 7 to 9 for filing counter affidavit has already been declined.

Respondent no. 1 adopted counter affidavit filed in petition no. 18755-756/2013.

Respondent Nos. 8 to 18 have already been deleted by Hon'ble Court's order dated 07.03.2014.

SLP(C) No. 27301/2013

Respondent Nos. 13 to 31 have already been deleted by Hon'ble Court's order dated 07.03.2014.

None appeared for respondent no. 2-12 despite due service.

Learned counsel for the petitioner to take fresh steps to effect service of respondent no. 1. Be taken within two weeks' time. Notice be issued thereafter.

SLP(C) No. 27561-27563/2013

None appeared for respondent no. 3,6 and 7 despite due service.

Opportunity for filing counter affidavit to respondent no. 2 to 7 in petition no. 27562/2013 and respondent no. 13 to 18 in petition no. 27563/2013 has already been declined.

Respondent no. 1 in petition no. 27562/2013 has filed counter affidavit.

None appeared for respondent no. 7 in petition no. 27561/2013 and respondent no. 19 in petition no. 27563/2013 despite due service.

Respondent Nos. 8 to 13 in petition no. 27561 and 27562 of 2013 and respondent Nos. 20 to 25 in petition no. 27563/2013 have already been deleted by Hon'ble Court's order dated 07.03.2014.

SLP(C) No. 27561-27563/2013

Opportunity to respondent no. 1 to 6 to file counter affidavit has already been declined.

Respondent no. 7 has already filed counter affidavit.

Respondent no. 8 to file counter affidavit within four weeks' time.

SLP(C) No. 9996-10001/2015

Notice to respondent no. 8 in all these matters have already been dismissed by the Court's order dated 27.03.2015.

None appeared for respondent no. 1,4 and 5 in all the petitions despite due service.

Petitioner to take fresh steps qua respondent nos. 2,3 and 6 in all the matters and respondent no. 7 in petition no. 9996, 10001/2015 within three weeks' time. Notice be issued thereafter.

Last opportunity is granted to the learned counsel for the petitioner for filing application for substitution of legal representatives of deceased respondent no. 7 in petition no. 9996/2015. Be filed within three weeks' time.

Respondent no. 7 to file counter affidavit in petition no. 9997, 9998, 9999 of 2015 within four weeks' time.

List again on 21.04.2016 .”

Service position of SLPs are as under:

SLP(C) Nos. 19156 of 2013

It is submitted that there are 23 Respondents in the matter. M/s. Venkat Palwai Law Associates, Advocates has entered appearance on behalf of Respondent No. 1 to 6 and opportunity of filing counter affidavit is declined vide this Hon'ble Court's order dated 31st August, 2015. Service may be deemed to be complete on Respondent No. 7 through affidavit of service in main matter, but no one has entered appearance so far. Name of Respondent Nos. 8 to 23 are deleted vide this Hon'ble Court's order dated 7th March, 2014.

Service is complete.

SLP(C) No. 19157 of 2013

It is submitted that there are 23 Respondents in the Matter. Mr. S. Udaya Kumar Sagar, Advocate has on 3rd September, 2015 filed vakalatnama/appearance on behalf of Respondent No. 1. Mr. D. Mahesh Babu, the earlier counsel for HMDA has filed counter affidavit in main SLP and requested to treated the same counter affidavit in all SLPs on behalf of Hyderabad Metropolitan Development Authority. M/s. Venkat Palwai Law Associates, Advocates has entered appearance on behalf of Respondent No. 2 to 7 and opportunity of filing counter affidavit is declined vide this Hon'ble Court's order dated 31st August, 2015

It is further submitted that name of Respondent Nos. 8 to 23 are deleted vide this Hon'ble Court's order dated 7th March, 2014.

Service is complete.

SLP(C) No. 19158 of 2013

It is submitted that Counsel for the Petitioner has not filed spare copy of SLP for effecting service on Respondent No. 6. Hence, show cause notice could not be issued so far.

It is further submitted that there are 35 Respondents in the matter. Service is complete on Respondent No. 1 to 5, 7 to 12 but no one has entered appearance so far. Service may be deemed to be complete on Respondent No. 19 through affidavit of service in main SLP. Name of Respondent Nos. 20 to 35 are delete vide this Hon'ble Court's order dated 7th March, 2014. Service is complete on Respondent Nos. 1 to 5, 7 to 12 but no one has entered appearance so far.

Service is not complete on Respondent No. 6.

SLP(C) No. 27299 of 2013

There are 18 Respondents in the matter. M/s. Venkat Palwai Law Associates, Advocates has filed vakalatnama and appearance on behalf of Respondent Nos. 1 to 6 Opportunity of filing counter affidavit is declined on vide

this Hon'ble Court's Order dated 31st August, 2015. Name of respondent nos. 7 to 18 have been deleted vide this Court's order dated 7th March, 2014.

Service is complete.

SLP(C) No. 27300 of 2013

There are 18 Respondents in the matter. M/s. Venkat Palwai Law Associates, Advocates has entered appearance on behalf of Respondent Nos. 2 to 7 Opportunity of filing counter affidavit is declined on vide this Hon'ble Court's Order dated 31st August, 2015. Counter affidavit on behalf of respondent no. 1 has been filed in main matter i.e. SLP(C) Nos. 18755-18756 of 2013. Name of respondent nos. 8 to 18 have been deleted vide this Court's order dated 7th March, 2014.

It is lastly submitted that Mr. S. Udaya Kumar Sagar, Advocate has on 3rd September, 2015 filed vakalatnama/appearance on behalf of Respondent No. 1 in SLP(C) No. 27300 of 2013 Mr. D. Mahesh Babu, the earlier counsel for HMDA has filed counter affidavit in main SLP and requested to treated the same counter affidavit in all SLPs on behalf of Hyderabad Metropolitan Development Authority.

Service is complete.

SLP(C) No. 27301 of 2013

It is submitted that Counsel for the Petitioner has not filed spare copy of SLP for effecting service on Respondent No. 6. Hence, show cause notice could not be issued so far.

It is further submitted that there are 31 Respondents in the matter. Names of respondent nos. 13 to 31 have been deleted vide this Court's order dated 7th March, 2014. Service is complete on Respondent Nos. 2 to 12 through A. D. Card but no one has entered appearance so far.

Service is not complete on Respondent No. 1 in SLP(C) No. 27301 of 2013.

SLP(C) No. 27561 of 2013.

It is submitted to the Hon'ble Court that there are 13 Respondents. M/s. Venkat Palwai Law Associates has filed vakalatnama/appearance on behalf of Respondent Nos. 1 to 6. Opportunity of filing counter affidavit is declined on vide this Hon'ble Court's Order dated 31st August, 2015. Service may be deemed to be complete on respondent no. 7 in SLP(C) No. 27561 of 2013 as affidavit of service of dasti notice has been received in main matter. Names of Respondent Nos. 8 to 13 have been deleted vide this Hon'ble Court's order dated 7th March, 2014.

Service is complete.

SLP(C) No. 27562 of 2013.

It is submitted to the Hon'ble Court that there are 13 Respondents. M/s. Venkat Palwai Law Associates has filed vakalatnama/appearance on behalf of Respondent Nos. 2 to 7. Opportunity of filing counter affidavit is declined on vide this Hon'ble Court's Order dated 31st August, 2015. Names of Respondent Nos. 8 to 13 have been deleted vide this Hon'ble Court's order dated 7th March, 2014.

It is lastly submitted that Mr. S. Udaya Kumar Sagar, Advocate has on 3rd September, 2015 filed vakalatnama/appearance on behalf of Respondent No. 1. Mr. D. Mahesh Babu, the earlier counsel for HMDA has filed counter affidavit in main SLP and requested to treated the same counter affidavit in all SLPs on behalf of Hyderabad Metropolitan Development Authority.

Service is complete.

SLP(C) No. 27562 of 2013.

It is submitted to the Hon'ble Court that there are 25 Respondents.M/s. Venkat Palwai Law Associates has filed vakalatnama/appearance on behalf of Respondent Nos. 13 to 18. Opportunity of filing counter affidavit is declined on vide this Hon'ble Court's Order dated 31st August, 2015. Names of Respondent Nos. 20 to 25 have been deleted vide this Hon'ble Court's order dated 7th March, 2014. Service may be deemed to be complete on respondent no. 19 as affidavit of service of dasti notice has been received in main matter.

It is submitted that Service is complete on respondent nos. 2 to 12 through A.D. card, but no one has entered appearance so far. A period of more than thirty days elapsed but neither A.D. card nor unserved cover received from respondent no. 1 so far.

Service is not complete on respondent no. 1.

Service is not complete on respondent nos. 1 in SLP (C) No. 27563 of 2013.

SLP(C) No. 38025 of 2013

There are 8 Respondent in the matter. M/s. Venkat Palwai Law Associates, Advocates has entered appearance on behalf of Respondent Nos. 1 to 6 Opportunity of filing counter affidavit is declined on vide this Hon'ble Court's Order dated 31st August, 2015. and Respondent No. 8 in represented by Mr. P.N.Puri, Advocate but he has not filed counter affidavit. Mr. S. Udaya Kumar Sagar, Advocate has filed vakalatnama/appearance on behalf of Respondent No. 7. Mr. D. Mahesh Babu, the earlier counsel for HMDA has filed counter affidavit in main SLP and 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 27th 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 27th March, 2015.

It is submitted that show cause notice to respondent nos. 2,3 and 6 in all the matters and respondent no. 7 in petition no. 9996, 10001/2015 was issued. 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 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. 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 27th March, 2015.

NS

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 matter are listed before the Ld. Registrar Court with this Office Report.

Dated this, the 18th day of April, 2016.

ASSISTANT REGISTRAR

Copy to:

1. Mr. P.N Puri, Advocate
17, Lawyers Chambers
2. Mr. D.Mahesh Babu, Advocate
18, New Lawyers Chambers
3. Mr.V.N.Raghupathy, Advocate
4. Mr. S. Udaya Kumar Sagar, Advocate
18-Central Lane, 1st Floor, Bengali Market, New Delhi-01
5. Mr. Shakil Ahmed Syed, Advocate
201, New Lawyers Chambers
6. Mr. Guntur Prabhakar, Advocate
7. M/s. Venkat Palwai Associates, Advocate

ASSISTANT REGISTRAR