

REGISTRAR COURT NO.1

LISTED ON : 31-08-2015

ITEM NO. : 05

SECTION XIIA
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (C) Nos. 18755-56 of 2013 and 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. 3-4

(Application for impleadment in SLP(C) No. 18755-18756 of 2013)

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)

KSB ALI ETC.

...PETITIONER

-VERSUS-

STATE OF A.P & ORS.

..RESPONDENTS

OFFICE REPORT

The matters above-mentioned were mentioned before the Ld. Registrar Court on 6th July, 2015, when she was pleased to pass the following Order:-

“SLP(C) NO.18755-56/2013

Respondent nos. 1 to 6 have filed counter affidavit. Service of respondent No.7 is complete but none has entered appearance.

Counter affidavit of respondent no.8 is already on record. Application for impleadment on behalf of the proposed impleaded party respondent has been registered as IA Nos. 3 and 4. Be processed to be placed before the Hon'ble Judge in Chambers.

Presence and pleadings for the respondents otherwise stands complete.

SLP(C) NO.19156-58/2013

Among 23 respondents in SLP(C) NO.19156, 19157 of 2013, 35 respondents in SLP(C) NO.19158/2013, counter affidavit on behalf of respondent nos. 1 to 6 in the first matter, on behalf of respondent nos. 1 to 7 in the second matter and on behalf of respondent nos. 13 to 18 in the third matter is still awaited. Be filed within four weeks as last opportunity.

Respondent nos. 6 and 7 of SLP(C) NO.19158/2013 are yet to be served. Petitioner to file the spare copies to get the

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notice issued. Be filed within two weeks time.

Service of respondent no.7 in the first matter and respondent no.19 in the third matter stands complete but none has entered appearance.

Names of respondent nos. 8 to 23 in the first matter and second matter and that of respondent no.20 to 35 in the third matter stand already deleted vide Hon'ble Court's order dt.7.3.2014.

SLP(C) NO.27299-301/2013

Among 18 respondents of SLP(C) NO.27299/2013, counter affidavit on behalf of respondent nos. 1 to 6 has not been filed despite it was the last opportunity. Further opportunity is therefore declined.

Names of remaining respondents stand already deleted vide Hon'ble Court's order dt.7.3.2014.

Matter stands complete. However, to be listed before the Hon'ble Court alongwith connected matters.

Among 18 respondents in SLP(C)NO.27300/2013, counter affidavit on behalf of respondent nos. 2-7 is still awaited. Be filed within four weeks time as last opportunity.

Counter affidavit on behalf of respondent no.1 has been filed in the main SLP(C) NO.18755-18756/2013.

Names of the remaining respondents stand already deleted vide Hon'ble Court's order dt.7.3.2014.

Among 31 respondents in SLP(C) NO.27301/2013 herein, names of respondent nos. 13 to 31 stand already deleted vide Hon'ble Court's order dt.7.3.2014.

Service of respondent nos. 2,4,5,7 to 9, 11 and 12 is complete but none has entered appearance.

Service of respondent nos. 1,3 and 6 is yet to be effected. Ld. Counsel for the petitioner to take fresh steps for the same. Be taken within three weeks. Notices thereafter be issued.

SLP(C) NO.27561-563/2013

Ld. Counsel for the petitioner to take fresh steps to effect service on respondent nos.1,3,6 and 7 in SLP(C) NO.27563/2013.

Respondent nos.1-6 in SLP(C) NO.27561/2013, respondent nos.1-7 in SLP(C) NO.27562/2013, respondent nos.13-18 in SLP(C)NO.27563/2013 failed to file counter affidavit despite warning of last opportunity. Further opportunity stands declined.

Counter affidavit of respondent no.1 in SLP(C) NO.27562/2013 is already on record.

Service of respondent no.7 in SLP(C) NO.27561/2013, respondent no.19 in SLP(C) NO.27563/2013 stands complete as they have been served in the main matter but none has entered appearance.

Names of remaining other respondent Nos.8-13 in SLP(C) NO.27561-62/2013 and respondent Nos. 20-25 in SLP(C) NO.27563/2013 stand already deleted vide Hon'ble Court's order dt.7.3.2014.

SLP(C) NO.27434/2013

Among nine respondents herein, respondent nos. 1 to 7

have failed to file counter affidavit despite the time stipulated for the purpose stands expired and it otherwise was the last opportunity for the purpose. Further opportunity stands declined.

Names of respondent nos. 8 and 9 stand already deleted vide Hon'ble Court's order dt.7.3.2014.

This matter stands complete.

SLP(C) NO.38025/2013

Opportunity of respondent nos. 1 to 6 to file counter affidavit is declined as it was already the last opportunity given for the purpose & no counter affidavit has been filed.

Respondent no.7 is served as on date but failed to enter appearance.

Counter affidavit of respondent no.8 is also awaited.

Be filed within four weeks as last opportunity.

SLP(C) NO.9996-10001/2015

Service of respondent nos. 1,4 and 5 in these petitions is complete but none has entered appearance.

For respondent nos. 2,3,6 and 7, Id. counsel for the petitioner still to take fresh steps to effect service. Be taken within three weeks. Notices thereafter be issued. List again on 31.8.2015.”

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. Mr. S. Udaya Kumar Sagar, Advocate has on 28th 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.

It is submitted that M/s. Venkat Palwai Law Associates, Advocates have on 2nd July, 2015 filed counter-affidavit on behalf of Respondent Nos. 1 to 6. Service is complete on respondent no. 7 in both SLPs through affidavit of service, but no one has entered appearance so far.

It is also submitted that Mr.Shakil Ahmed Syed, counsel has on 28th October, 2013, filed applications for impleadment on behalf of proposed impleaded party Respondent and the said application is registered as I.A Nos. 3-4 and the same is updated in Chamber Pool.

Service is complete.

SLP(C) Nos. 19156-19158 of 2013.

It is submitted that counsel for the Petitioner has not filed copies of SLP for effecting service on unserved Respondent Nos. 6 and 7 in SLP(C) No. 19158 of 2013 so far.

It is also submitted that there are 23 common Respondents each in SLP Nos. 19156 and 19157 of 2013 and 35 Respondents in SLP No. 19158 of 2013. Mr. D. Mahesh Babu, Advocate has entered appearance through caveat on behalf of Respondent No. 1 to 6 in SLP Nos. 19156 of 2013 and Respondent Nos. 1 to 7 in SLP(C) No.19157 of 2013 and Respondent No. 13 to 18 in SLP(C) No. 19158 of 2013 but not filed counter affidavit so far.

Service may be deemed to be complete on respondent no. 7 in SLP(C) No. 19156 of 2013 and respondent no. 19 in SLP(C) No. 19158 of 2013 through affidavit of service in main matter but no one has entered appearance so far.

It is further submitted that name of Respondent Nos. 8 to 23 in SLP(C) No. 19156 of 2013 and in SLP(C) No. 19157 of 2013 and Respondent Nos. 20 to 35 in SLP(C) No. 19158 of 2013 are deleted vide this Hon'ble Court's order dated 7th March, 2014.

Service is not complete on Respondent nos. 6 and 7 in SLP(C) No. 19158 of 2013.

SLP(C) Nos. 27299-27301 of 2013.

It is submitted that counsel for the Petitioner has not taken fresh steps for effecting service on unserved Respondent Nos. 1,3 and 6 so far in SLP(C) 27301 of 2013.

SLP(C) No. 27299 of 2013

There are 18 Respondents in the matter. Mr.D.Mahesh Babu, Advocate has on 27th November, 2013, filed vakalatnama and appearance on behalf of Respondent Nos. 1 to 6 but not filed counter affidavit so far. 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. Mr. D.Mahesh Babu, Advocate has entered appearance on behalf of Respondent Nos. 1 to 7 but no counter affidavit has been filed on behalf of respondent nos. 2 to 7 so far. 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.

Service is complete.

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SLP(C) No. 27301 of 2013

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. 5, 7, 8, 9, 11, 12 through A. D. Card but no one has entered appearance so far. AD card received from Respondent Nos. 2, 4 in connected matter but one has entered appearance so far.

Service is not complete on Respondent No. 1, 3, 6 in SLP(C) No. 27301 of 2013.

SLP(C) No. 27561-27563 of 2013.

It is submitted that counsel for the Petitioner has not taken fresh steps for effecting service on Respondent Nos. 1, 3 and 6 and 7 in SLP (C) No. 27563 of 2013.

It is submitted to the Hon'ble Court that there are 13 Respondents each in SLP Nos. 27561 and 27562 of 2013 and 25 Respondent in SLP(C) No. 27563 of 2013. Mr.D.Mahesh Babu, Advocate has entered appearance on behalf of Respondent Nos. 1 to 6 in SLP Nos. 27561 and Respondent no. 1 to 7 in SLP(C) No. 27562 of 2013 and Respondent Nos. 13 to 18 in SLP(C) No. 27563 of 2013 but no counter affidavit has been filed except on behalf of Respondent No. 1 in SLP(C) No. 27562 of 2013.

Service may be deemed to be complete on respondent no. 7 in SLP(C) No. 27561 of 2013 and respondent no. 19 in SLP(C) No. 27563 of 2013 as affidavit of service of dasti notice has been received in main matter.

Names of Respondent Nos. 8 to 13 in SLP Nos. 27561 & 27562 of 2013 and Respondent Nos. 20 to 25 in SLP(C) No. 27563 of 2013 have been deleted vide this Hon'ble Court's order dated 7th March, 2014.

Service is not complete on respondent nos. 1, 3, 6 and 7 in SLP (C) No. 27563 of 2013.

SLP(C) No. 38025 of 2013

There are 8 Respondent in the matter. Mr.D.Mahesh Babu, Advocate has entered appearance on behalf of Respondent Nos. 1 to 6 but not filed counter affidavit so far and Respondent No. 8 in represented by Mr. P.N.Puri, Advocate. Service is complete on respondent no. 7 as affidavit of service filed in connected matters.

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.”

Accordingly, show cause notice was issued to Respondent Nos. 2,3,6,7. Service of Respondent Nos. 2, 3, 6, 7 is awaited.

It is submitted that A. D card duly signed has been received from Respondent No. 1, 4, and 5 but no one has entered appearance so far.

Service is not complete on Respondent Nos. 2,3,6 and 7.

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

Dated this, the 28th day of August, 2015.

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