

**REGISTRAR COURT NO.1**

LISTED ON : 06-07-2015

ITEM NO. : 21

**SECTION XIIIA**  
**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, 27434 of 2013 & 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 25<sup>th</sup> March, 2015, when he was pleased to pass the following Order:-

“SLP(C) NO.18755-56/2013

All the seven respondents are common to both matters. Application for impleadment on behalf of proposed impleaded party respondent has already been filed and has been registered. Registry to process the application.

Service of all respondents in both matters is complete but none has entered appearance.

SLP(C) NO.19156-158/2013

Counter affidavit of respondent nos. 1 to 6 in SLP(C) NO.19156/2013, 1 to 7 in SLP(C) NO.19157/2013, also of respondent nos. 13 to 18 in SLP(C) NO.19158/2013 is still awaited. Be filed within four weeks as last opportunity.

Service of respondent no.7 in SLP(C) NO.19156/2013, respondent no.19 in SLP(C) NO.19158/2013 is complete but none has entered appearance.

Names of respondent nos. 8 to 23 in SLP(C) NO.19156/2013, SLP(C) NO.19157/2013 and of respondent Nos. 20 to 35 in SLP(C) NO.19158/2013 stands deleted vide order of this Hon'ble Court dt.7.3.2014.

However, with respect to respondent Nos. 6 and 7 in SLP(C)

NO.19158/2013, petitioner to take fresh steps to effect service.

SLP(C) NO.27299/2013

Among 18 respondents, counter affidavit on behalf of respondent nos. 1 to 6 is still awaited. Be filed within four weeks as last opportunity.

Names of respondent Nos. 7 to 18 stands deleted vide the aforesaid order of 7.3.2014.

SLP(C) NO.27300/2013

Among 18 respondents herein, counter affidavit of respondent Nos. 2 to 7 is awaited. Be filed within four weeks. Respondent No.1 has filed counter affidavit in the main SLP(C) no. 18755-56/2013.

Names of remaining respondent Nos. 8 to 18 stands deleted vide aforesaid order dt.7.3.2014.

SLP(C) NO.27301/2013

Among 31 respondents, names of respondent Nos. 13 to 31 stands deleted vide order dt.7.3.2014.

Service of respondent Nos. 1,3,6 and 7 is not yet complete. Petitioner to take fresh steps to effect the same.

SLP(C) NO.27561-563/2013

Service upon respondent Nos. 2,4,5,8 to 12 is complete but none has entered appearance.

Counter affidavit of respondent Nos. 1 to 6 in SLP(C) NO.27561/2013, of respondent Nos. 1 to 7 in SLP(C) NO.27562/2013, of respondent nos. 13 to 18 in SLP(C) NO.27563/2013 is still awaited. Be filed within four weeks as last opportunity.

Counter affidavit of respondent no.1 stands filed in SLP(C) NO.27562/2013.

Service of respondent no.7 in SLP(C) NO.27561/2013, respondent no.19 in SLP(C) NO.27563/2013 stands complete.

Names of respondent nos. 8 to 13 in SLP(C) NO.27561/2013, SLP(C) NO.27562/2013, of respondent nos. 20 to 25 in SLP(C) NO.27563/2013 stand deleted vide order dt.7.3.2014.

Service of respondent nos. 1,3,6 and 7 is yet to be effected. Petitioner to take fresh steps.

SLP(C) NO.27434/2013

Among nine respondents herein, counter affidavit of respondent nos. 1 to 7 is still awaited. Be filed within four weeks as last opportunity. Names of respondent Nos. 8 and 9 have already been deleted vide order dt.7.3.2014.

SLP(C) NO.38025/2013

Among eight respondents herein, respondent Nos. 1 to 6 have yet to file counter affidavit. Be filed within four weeks as last opportunity.

Respondent no.8 is represented by the Id. Counsel, Mr P.N.Puri. Vakalatnama and counter affidavit be filed within the stipulated time.

Service of respondent no.7 is complete but none has entered appearance.

List again on 6.7.2015.”

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 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.

It is submitted that M/s. Venkat Palwai Law Associates, Advocates has on 2<sup>nd</sup> 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 28<sup>th</sup> 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 is to be listed before Chamber Judge.

Service is complete.

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

It is 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.

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

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 7<sup>th</sup> 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 show cause notice to Respondent Nos. 1 to 12 in SLP(C) No. 27301 of 2013 was issued.

**SLP(C) No. 27299 of 2013**

There are 18 Respondents in the matter. Mr.D.Mahesh Babu, Advocate has on 27<sup>th</sup> 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 7<sup>th</sup> 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 7<sup>th</sup> March, 2014.

Service is complete.

**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 7<sup>th</sup> 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.

It is submitted that counsel for the Petitioner has not taken steps for effecting service on Respondent Nos. 1,3 and 6.

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

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

**SLP(C) No. 27434 of 2013**

There are 9 respondents in the matter. Mr. D.Mahesh Babu, Advocate has on 27<sup>th</sup> November, 2013 entered appearance on behalf of Respondent Nos. 1 to 7 but no counter affidavit has been filed so far.

Names of Respondent Nos. 8 and 9 are deleted vide this Court's order dated 7<sup>th</sup> March, 2014.

Service is complete.

**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 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.”

Accordingly, show cause notice was issued to Respondent Nos. 1 to 7 in SLP (C) Nos. 9996-10001 of 2015 and substitution application of deceased Petitioner. A. D. Card duly signed has been received from Respondent Nos. 1, 4 and 5 but no one has entered appearance so far. A period of more than thirty days elapsed but neither A. D. Card nor unserved registered cover has been received back from Respondent Nos. 2, 3, 6 and 7.

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

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

Dated this, the 3rd day of July, 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, 1<sup>st</sup> 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