

SECTION XI
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Listed on : 05.07.2016
Court No. : 14
Item No. : 33

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL) Nos. 10329-31 OF 2012
WITH PRAYER FOR INTERIM RELIEF

VICE CHANCELLOR, D.D.U.G.U.
GORAKHPUR

...PETITIONER(S)

VERSUS

PRINCIPAL/DEEN/HEAD DEP
BUDHA COLLEGE

...RESPONDENT(S)

OFFICE REPORT ON DEFAULT

The matters above mentioned were listed before the Hon'ble Court on 21.03.2012, when the Court was pleased to pass the following order:

“Leave to file the Special Leave Petition is granted.
Delay condoned.
Issue notice.
We are, however, not inclined to grant any interim stay in this matter.”

SLP (c) No. 10329 of 2012

It is submitted that there are 15 Respondents. Respondent Nos. 1, 4 to 7, 10, 11 and 13 are represented through Mr. Abhishek Chaudhary and R. D. Upadhyay, Advocates but no Counter Affidavit have been filed. Service report from Trial Court has been received in respect of Respondent Nos. 3, 8, 9, 12, 14 and 15 but no Vakalatnama and Memo of Appearance has been filed on their behalf till date.

It is submitted that counsel for the petitioner has not taken any steps to serve the unserved Respondent No.2 so far . Hence Show Cause Notice could not be issued.

Service on Respondent No. 2 is not complete.

SLP (c) No. 10330 of 2012

It is submitted that there are 4 Respondents. A.D. Card duly signed has been received back from Respondent No. 2. Service report from Trial Court has been received in respect of Respondent Nos. 1, 3 & 4. But no Vakalatnama and Memo of Appearance has been filed on behalf of respondents till date.

Service is complete.

SLP (c) No. 10331 of 2012

It is submitted that there are 9 Respondents. Service report from Trial Court has been received in respect of Respondent Nos. 1 to 3 and 5. A.D. Cards duly signed have been received back from Respondent Nos. 6 & 7 but no Vakalatnama and Memo of Appearance has been filed on behalf of these respondents. Respondent Nos. 8 & 9 are represented through Mr. Shrish Kumar Misra, Advocate but no Counter Affidavit has been filed.

It is submitted that counsel for the petitioner has not taken any steps to serve the unserved Respondent No.4 so far. Hence Show Cause Notice could not be issued.

Service on Respondent No. 4 is not complete.

All the matters above mentioned were listed before the Court of Registrar time to time and lastly on 27.04.2016, when the following order was passed:

“Respondent Nos. 1, 4 to 7, 10, 11 and 13 in SLP (C) No. 10329/2012 and respondent nos. 8 and 9 in SLP (C) No. 10331/2012 have not filed counter affidavit. Further opportunity is declined.
Despite last opportunity, fresh steps in respect of respondent no. 2 in SLP (C) No. 10329/2012 and respondent no. 4 in SLP (C) No. 10331/2012 have not been taken.
Let the matter be placed before the Hon'ble Judge in Chambers for further directions.”

It is submitted that Counsel for the Petitioner has not taken any steps to serve the unserved Respondent No. 2 in SLP (C) No. 10329/2012 and Respondent No. 4 in SLP (C) No. 10331/2012.

The default on the part of the counsel for the petitioner is listed before the Hon'ble Judge in Chamber with this office report.

Dated this the 03rd day of May, 2016.

ASSISTANT REGISTRAR

Copy to:

Mr. Kamendra Mishra, Advocate
Mr. Shrish Kumar Misra, Advocate
Mr. Abhishek Chaudhary, Advocate
Mr. R.D. Upadhyay, Advocate.

ASSISTANT REGISTRAR