

**REGISTRAR COURT NO.1**

LISTED ON : 4-02-2016

ITEM NO. : 21

**SECTION XIIA**  
**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 17<sup>th</sup> November, 2015, when the following order was passed :-

"SLP(C) No. 18755-18756/2013

Among 7 respondents in SLP(C) No.18755/2013 and 8 respondents in SLP(C) No.18756/2013, respondent Nos.1 to 7 are common to both the matters.

Respondent Nos.1 to 6 have filed the counter affidavit.

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

Respondent No.8 of SLP(C) No.18756/2013 has also filed the counter affidavit.

Both these petitions are ready to be processed for being listed before the Hon'ble Court, however, alongwith the connected petitions.

SLP(C) No. 19156-19158/2013

There are 23 common respondents in SLP(C) Nos.19156 and 19157 and 35 respondents in SLP(C) No.19158/2013.

Service of respondent Nos.6 and 7 in SLP(C) No.19158/2013 is still awaited.

Opportunity for filing counter affidavit of respondent Nos.1 to 6 in SLP(C) No.19156/2013, respondent Nos.2 to 7 in SLP(C) No.19157/2013 and respondent Nos.13 to 18 in SLP(C) No.19158/2013 is already declined.

Counter affidavit by respondent No.1 in the main SLP

has been filed. It is requested that the same be adopted for all the other SLPs.

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

The names of respondent Nos.8 to 23 in SLP(C) No.19156/2013 and SLP(C) No.19157/2013 and respondent Nos.20 to 35 in SLP(C) No.19158/2013 have already been deleted vide order of the Hon'ble Court.

SLP(C) No. 27299/2013

Opportunity for respondent Nos.1 to 6 to file the counter affidavit has already been declined.

The names of respondent Nos.7 to 18 has already been deleted vide order of the Hon'ble Court.

SLP(C) No.27300/2013

Opportunity for respondent Nos.2 to 7 to file the counter affidavit has already been declined.

The names of respondent Nos.8 to 18 has already been deleted vide order of the Hon'ble Court.

Counter affidavit on behalf of respondent No.1 has been filed in the main matter i.e., SLP(C) No.18755-18756/2013 and be treated as counter affidavit in the said petition also.

SLP(C) No.27301/2013

The names of respondent Nos.13 to 31 has already been deleted vide order of the Hon'ble Court.

The Ld. Counsel for the petitioner to take fresh steps to effect service on respondent Nos.1, 3 and 6. Notice thereafter be issued.

Service is complete on the remaining respondents but none has entered appearance.

SLP(C) No. 27561-27563/2013

Service of respondent Nos.1, 3, 6 and 7 in SLP(C) No.27563/2013 is awaited.

Opportunity for respondent Nos.1 to 6 in SLP(C) No.27561/2013, respondent Nos.2 to 7 in SLP(C) No.27562/2013 and respondent Nos.13 to 18 in SLP(C) No.27563/2013 has already been 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 and respondent No.19 in SLP(C) No.27563/2013 is complete but none has entered appearance.

The names of respondent Nos.8 to 13 in SLP(C) No.27561 and 27562/2013 and respondent Nos.20 to 25 in SLP(C) No.27563/2013 have already been deleted vide order of the Hon'ble Court.

SLP(C) No. 38025/2013

Opportunity for respondent Nos.1 to 6 to file the counter affidavit has already been declined.

Respondent No.7 has already filed the counter affidavit.

Registry to report the status regarding counter affidavit of respondent No.8.

SLP(C) No. 9996-10001/2015

There are 27 respondents in SLP(C) No.9996/2015, 22 respondents in SLP(C) 9997/2015, 70 respondents in SLP(C) No.9998/2015, 20 respondents in SLP(C) No.9999/2015, 28 respondents in SLP(C) No.10000/2015 and 31 respondents in SLP(C) No. 10001/2015.

Service is complete on respondent Nos.1, 4 and 5 in all SLPs but none has entered appearance.

Respondent Nos.2, 3, 6 in SLP(C) No.9997 to 9999, respondent Nos.2, 3, 6 and 7 in SLP(C) No.9996 and SLP(C) No.10000-10001 could not have been served for want of the spare copies. The Ld. Counsel for the petitioner to provide the same within four weeks. Notice thereafter be issued.

Counter affidavit of respondent No.7 in SLP(C) No.9997-9999/2015 is awaited. Be filed within four weeks' time, as last opportunity.

Counter affidavit of respondent Nos.15, 16 and 19 of SLP(C) No.9996, 10000 and 10001/2015 is also awaited. Be filed within four weeks, as last opportunity.

List again on 4.2.2016.”

It is submitted that Mr. P.N Puri, Advocate for Respondent No. 8 in SLP(C) No. 38025 of 2013 has not filed counter affidavit so far.

Service position of SLPs are as under:

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

It is submitted that there are 23 Respondents in the matter. Mr. D. Mahesh Babu, Advocate 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 31<sup>st</sup> 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 delete vide this Hon'ble Court's order dated 7<sup>th</sup> 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 3<sup>rd</sup> 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. Mr. D. Mahesh Babu, Advocate 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 31<sup>st</sup> August, 2015

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

Service is complete.

**SLP(C) No. 19158 of 2013**

It is 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 7<sup>th</sup> March, 2014. Service is complete on Respondent Nos. 1 to 5, 7 to 12 but no one has entered appearance so far. A period of more than thirty days elapsed from the date of issue of notice by registered post but neither AD card nor unserved registered cover has been received back from Respondent No. 6.

Service is not complete on Respondent No. 6.

**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 Opportunity of filing counter affidavit is declined on vide this Hon'ble Court's Order dated 31<sup>st</sup> August, 2015. 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. 2 to 7 Opportunity of filing counter affidavit is declined on vide this Hon'ble Court's Order dated 31<sup>st</sup> 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 7<sup>th</sup> March, 2014.

It is lastly submitted that Mr. S. Udaya Kumar Sagar, Advocate has on 3<sup>rd</sup> 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**

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. 2 to 12 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 the notice by registered post, but neither AD card nor unserved registered cover has been received back from the Respondent No. 1.

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

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

It is submitted that AD cards received from Respondent Nos.3, 6 and 7 but no one has entered appearance so far. A period of more than thirty days has already elapsed from the date of issue of the notice by registered post, but neither AD card nor unserved registered cover has been received back from the Respondent No. 1.

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. 2 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 and Opportunity of filing counter affidavit is declined on vide this Hon'ble Court's Order dated 31<sup>st</sup> August, 2015.

It is lastly submitted that Mr. S. Udaya Kumar Sagar, Advocate has on 3<sup>rd</sup> September, 2015 filed vakalatnama/appearance on behalf of Respondent No. 1 in SLP(C) No. 27562 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 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 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 Opportunity of filing counter affidavit is declined on vide this Hon'ble Court's Order dated 31<sup>st</sup> 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 Authorit.

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 Show Cause Notice was issued on 10<sup>th</sup> December, 2015 to Respondent Nos. 2, 3, 6 in all SLPs and Respondent No. 7 in SLP(C) No. 9996, 10000, 10001 of 2015. 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. AD card duly signed has been received from Respondent No. 7 in SLP(C) No. 10000 of 2015. 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 remaining Respondents so far.

It is further 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 also submitted that service is complete on Respondent No. 1, 4, and 5 in all SLP through A.D. card but no one has entered appearance so far.

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.

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. 2,3,6 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 3<sup>rd</sup> day of February, 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, 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**