

REGISTRAR COURT NO.1

LISTED ON : 26-11-2014
ITEM NO. : 46

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, 27434 of 2013, 38018-38020 of 2013 and 38025 and 38022-38024 of 2013.

WITH
PRAYER FOR INTERIM RELIEF
AND
INTERLOCUTORY APPLICATION Nos. 3-4
(Application for impleadment in SLP(C) No. 18755-18756 of 2013)

KSB ALI ETC.

...PETITIONER

-VERSUS-

STATE OF A.P & ORS.

..RESPONDENTS

OFFICE REPORT

The matters above-mentioned were mentioned before the Hon'ble Court on 7th March, 2014, when the Court was pleased to pass the following Order:-

“In this group of matters, Registry has reported that some of the respondents are not yet served and there are applications for deletion of certain respondents.

Applications for deletion of the respective respondents are granted. Amended cause titles shall be filed within two weeks.

Advocates-on-record for the petitioners shall take steps for service on unserved respondents returnable in ten weeks.

Dasti, in addition to the ordinary process, is permitted.

List this group of matters thereafter.

Interim order to continue in the meanwhile.”

The matters above-mentioned were mentioned before the Ld. Registrar Court on 4th September, 2014, when he was pleased to pass the following Order:-

“The learned counsel for the petitioner seeks time for amending the cause title and also seeks time for filing spare copies for effecting service on the unserved respondents. Four weeks' time is granted for the said purpose.

List again on 26.11.2014.”

It is submitted that Mr. V.N. Raghupathy, counsel for the petitioner in SLP(C) Nos. 19156-19158 of 2013, 27299-27301 of 2013, 27561-27563 of 2013, 27434 of 2013, 38018-38020 of 2013 and 38025 and 38022-38024 of 2013 has on 14th November, 2014 filed 7 copies of SLP(C) Nos. 19156-19158 of 2013, 5 copies in SLP(C) Nos. 27299-27301 of 2013 and 5 copies of SLP(C) Nos. 27561-27563 of 2013 which is barred by time by 42 days as four weeks time expired on 2nd October, 2014. Hence, show cause notice could not be issued.

It is also submitted that Mr. V.N. Raghupathy, counsel for the petitioner has also filed 7 sets in SLP(C) Nos. 38022-38024 of 2013 and 38018-38020 of 2013 which are deficit of 76 copies of SLP and 12 copies of SLP respectively. Hence formal order and show cause notice could not be issued.

It is submitted that pursuant to above-order Mr. P.N. Puri, Advocate has on 15th October, 2014 filed amended cause-title in SLP(C) No. 18755-18756 of 2013.

It is also submitted that Standing Counsel for the State of A.P. and Telangana has not filed appearance on behalf of State of A.P. and Telangana so far in all SLPs.

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 Mr. G.N. Reddy, Advocate has filed vakalatnama/appearance on behalf of State of AP (Respondents Nos. 1-6). Now, Mr. D. Mahesh Babu, Advocate appears for the State in both SLP and he has not filed counter affidavit on behalf of respondent no. 1 to 7 in both the SLPs so far. Service is complete on Respondent No. 7 through affidavit of service in both SLPs 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 is already included in paper books.

Service is complete.

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

The matters above-mentioned were listed before the Hon'ble Court on 26th August, 2013, when the Court was pleased to pass the following Order:-

“Issue notice.

Dasti, in addition to the ordinary process, is permitted.

In the meanwhile, *status quo* with regard to subject property shall be maintained by all concerned in all respects.

Connect with Special Leave Petition (Civil) Nos. 18755-18756 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.

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 no. 1 to 12 in SLP(C) No. 19158 of 2013 as spare copies filed by counsel for the petitioner is barred by time by 42 days.

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

The SLP above-mentioned was listed before the Hon'ble Court on 26th August, 2013, when the Court was pleased to pass the following order:-

“Delay condoned.

Issue notice.

Dasti, in addition to the ordinary process, is permitted.

In the meanwhile, *status quo* with regard to subject property shall be maintained by all concerned in all respects.

Connect with Special Leave Petition (Civil) Nos. 18755-18756 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. 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.

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 not complete on Respondent No. 1 to 12 in SLP(C) No. 27301 of 2013.

Service is not complete.

SLP(C) No. 27561-27563 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 to 12 in SLP(C) No. 27563 of 2013.

Service is not complete.

SLP(C) No. 27434 of 2013

There are 9 respondents in the matter. Mr. D.Mahesh Babu, Advocate has on 27th 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 7th March, 2014.

Service is complete.

SLP(C)Nos. 38018-38020 of 2013, 38022-38024 of 2013 and 38025 of 2013.

The matter above-mentioned was listed before the Hon'ble Court on 9th December, 2013, when the Court was pleased to pass the following Order:-

“Permission to file special leave petitions is granted.

Delay condoned in filing applications for substitution.

Applications for bringing on record the legal representatives of deceased petitioner No. 5 – Rasheed Syed in S.L.P. (C) ...CC Nos. 17493-17495 of 2013, petitioner No. 1 – Moizuddin Mahamood in S.L.P. (C)...CC No. 18651 of 2013 and petitioner Nos. 10 – Sultana Begum and 37 – Kareemunissa Begum in S.L.P. (c) ...CC Nos. 17969-17971 of 2013 are granted. Amended cause-title shall be filed by the advocate-on-record within one week from today.

Delay condoned.

Issue notice.

Dasti, in addition to the ordinary process.

In the meanwhile, status-quo with regard to the subject property shall be maintained by all concerned in all respects.

Connect with S.L.P. (C) Nos. 19156-19158 of 2013.”

It is submitted that formal order and Show cause notice could not be issued as counsel has filed deficit spare copies in SLP(C) No. 38018-38020 of 2013 and 38022-38024 of 2013.

SLP Nos. 38018-38020 of 2013

There are 13 Respondent in SLP(C) nos. 38018 and 38019 of 2013 and 26 Respondent in SLP(C) No. 38020 of 2013. Respondent Nos. 7 to 12 in SLP(C) No. 38018 of 2013 and respondent nos. 2 to 7 in SLP(C) No. 38019 of 2013 and 14 to 19 in SLP(C) No. 38020 of 2013 are common respondents. Mr.D.Mahesh Babu, Advocate has filed Vakalatnama and appearance on behalf of Respondent Nos. 1 to 6 SLP(C) No. 38018 of 2013, Respondent No. 1 and 8 to 13 in SLP(C) No. 38019 of 2013 and Respondent Nos. 13, 20 to 25 in SLP(C) No. 38020 of 2013, which are common respondents.

Service may be deemed to be complete on respondent no.13 in SLP(C) No. 38018 of 2013 and respondent no. 26 in SLP(C) No. 38020 of 2013 through affidavit of service in main matter but no one has entered appearance so far.

Service is not complete on respondent nos. 7 to 12 in SLP(C) No. 38018, respondent nos. 2 to 7 in SLP(C) No. 38019 and respondent nos. 1 to 19 in SLP(C) No. 38020 of 2013 as counsel for the Petitioner has filed

deficit of 12 sets of SLPs.

SLP(C) Nos. 38022-38024 of 2013

It is submitted that there are 88 Respondents in SLP(C) Nos. 38022 and 38023 of 2013 and 102 Respondents in SLP(C) No. 38024 of 2013.

Mr. D. Mahesh Babu, Advocate has filed vakalatnama/appearance on behalf of respondent nos. 1 to 6 in SLP(C) No. 38022 of 2013, respondent nos. 1, 82 to 87 in SLP(C) No. 38023 of 2013 and respondent nos. 13 to 18 in SLP(C) No. 38024 of 2013.

Service may be deemed to be complete on respondent no. 102 in SLP(C) No. 38024 of 2013 as affidavit of service has been received in main matter.

Service is not complete on respondent nos. 7 to 88 in SLP(C) No. 38022 of 2013, respondent nos. 2 to 81, 88 in SLP(C) No. 38023 of 2013 and respondent nos. 10 to 101 in SLP(C) No. 38024 of 2013. Hence, formal order and show cause notice could not be issued as spare copies filed by counsel for the petitioner is deficit of 76 sets of SLP.

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 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.

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

Dated this, the 25th day of November, 2014.

ASSISTANT REGISTRAR

Copy to:

1. Mr. P.N Puri, Advocate
2. Mr. D.Mahesh Babu, Advocate
3. Mr.V.N.Raghupathy, Advocate
4. Mr. S. Udaya Kumar Sagar, Advocate
5. Mr. Shakil Ahmed Syed, Advocate

6. Mr. Guntur Prabhakar, Advocate

7. M/s. Venkat Palwai Associates, Advocate ASSISTANT REGISTRAR