

i>SECTION IV

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 2317 OF 2011

WITH

INTERLOCUTORY APPLICATION NOS. 6 & 7

(Application for vacating stay filed by)

WITH

INTERLOCUTORY APPLICATION NO. 8 of 2012

(Application for Impleadment of the party as respondent filed by Ms. S. Janani, Advocate)

WITH

INTERLOCUTORY APPLICATION NO. 9 of 2012

(Application for Impleadment of the party as appellant filed by Mr. R.D. Upadhyay, Advocate)

WITH

INTERLOCUTORY APPLICATION NO. 10 to 12 of 2013

(Applications for Impleadment to implead the parties as Respondents filed by Mr. Vipin Kumar Jai and Mr. P. Soma Sundram, Advocates)

AND

INTERLOCUTORY APPLICATION NO.

(Application for Impleadment to implead the party as respondent filed by Mr. S. Gowthaman, Advocate)

AND

IL APPEAL NO. 2318 OF 2011

And

CIVIL APPEAL NO. 2324 OF 2011

with

INTERLOCUTORY APPLICATION NO.

(Application for Intervention)

State of Punjab & Ors. etc.

...Appellants

Versus

Davinder Singh & Ors. etc.

...Respondents

OFFICE REPORT

The Interlocutory Application Nos. 6 to 9 (applications for vacating stay and impleadment) in Civil Appeal No. 2317 of 2011 with office report dated 14.9.2012 were listed before the Hon'ble Court on 08.10.2012 when the Court was pleased to pass the following order:-

“Let this matter, which is listed today and the transferred matters, involving the same question of law, along with the connected application, be listed for final hearing on 7th November, 2012, subject to part heard matters.”

Thereafter, the Interlocutory Application Nos. 13 and 14 of 2013 Application for early hearing of I.A. (Application for vacating stay) and appeal in Civil Appeal No. 2317 of 2011 were listed before the Hon'ble Court on 20.9.2013 when the Hon'ble Court was pleased to pass the following Order:

“List the appeal along with connected matters immediately after Dussehra Holidays.

I.As for early hearing is disposed of.”

Service position of the matters are as under;-

CIVIL APPEAL NO. 2317 OF 2011:-

The instant Appeal is granted by this Court's Order dated 1.3.2011.

It is submitted that there are 3 respondents. They are represented through Mr. Tushar Bakshi, Mr. Shekhar Kumar, Mr. Satyendra Kumar, Advocates respectively.

It is submitted that Mr. Kuldip Singh, Advocate has on 19.00.2011 filed Reply Affidavit on behalf of State of Punjab in I.A. No. 6 & 7 of 2011 in which some

pages are of dim impression. However, Copy of reply affidavit has been placed with I.As paper books.

It is further submitted that Mr. Shekhar Kumar, Advocate has filed rejoinder affidavit in reply to the counter affidavit filed by State of Punjab on behalf of impleaded respondent no. 2 on 21.11.2011. Copy of rejoinder affidavit has already been circulated to the Hon'ble Court.

It is submitted that Ms. S. Janani, Advocate has on 17.12.2011 filed an application for impleadment to implead the party as respondent. The application has been registered as I.A. No.8.

It is submitted that Mr. R.D. Upadhyay, Advocate has on 12.9.2012 filed an application for impleadment to implead the party as appellant. The application has been registered as I.A No. 9. Copy of the application for impleadment has already been circulated to the Hon'ble Court.

It is submitted that Mr. Vipin Kumar Jai, Advocate has on 12.9.2012 filed an application for impleadment to implead the party as appellant. The application has been registered as I.A No. 10. Copy of the application for impleadment has been placed with Appeal Paper Books.

It is submitted that Mr. P. Soma Sundram, Advocate have on 10.11.2012 and 26.11.2012 filed separate applications for impleadment to implead the party as Respondent. The applications have been registered as I.A No. 11 & 12. Copy of the applications for impleadment have been placed with Appeal Paper Books.

It is submitted that Mr. S.Gowthaman, Advocate has on 22.11.2012 filed an application for impleadment to implead the party as Respondent which is defective for the reason that Counsel has not served copy of the application on M/s. Shekhar kumar, Satendra Kumar and Tushar Bakshi, Advocates. The Counsel was asked vide this Registry's letters dated 6.12.2012 and 18.02.2013 to serve the copy on the above said Advocates but Counsel has not done the needful till date. The unregistered application for impleadment is being circulated for the kind perusal of the Hon'ble Court.

In CA no. 2318/11 :-

There is a sole respondent and he is represented through Ms. Naresh Bakshi Advocate. Service is complete.

In CA no. 2324/11 :-

There are three respondents in the appeal. Respondent No. 1 and 3 are represented through Mr. R.V. Kameshwaran and Mr. Satyendra Kumar, Advocate. Respondent No. 2 has been served with notice at SLP Stage but has not chosen to enter appearance. Service is complete.

It is submitted that Ms. S. Janani, Advocate has on 21.04.2010 filed an application for intervention which is found to be defective for the reason that application has not been served on the Counsel for the Respondents. The unregistered application for intervention has been placed with Appeal Paper Books.

Original records have been received in all the matters from High Court and are available for the reference of the Hon'ble Court.

The Civil Appeals alongwith applications mentioned above are listed before the Hon'ble Court with this Office Report.

Dated this the 21st day of October, 2013.

ASSISTANT REGISTRAR

Copy to :-

- 1.Mr. Jagjit Singh Chhabra, Adv.
- 2.Mr. R. D. Upadhyay, Adv.
- 3.Mr. Tushar Bakshi, Adv.
- 4.Mr. Shekhar Kumar, Adv.
- 5.Mr. Satyendra Kumar, Adv.
- 6.Ms. S. Janani, Adv.
- 7.Mr. Vipin Kumar Jai, Adv.
- 8.Mr. R.V. Kameshwaran, Adv.
- 9.Mr. P.Soma Sundram, Adv.
- 10.Mr.S. Gowthaman, Adv.

ASSISTANT REGISTRAR

Js4