

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Listed on. 16.08.2013
Court No.11
Item No.202

PETITIONS FOR SPECIAL LEAVE TO APPEAL(CIVIL)NOS. 13110, 19927-19928, 16956, 18920-18921 OF 2008, 10873, 10878, 10879, 11498 OF 2006, 8297, 10379-10380 OF 2012, 690, 693, 695, 696 AND 9854 OF 2013

WITH PRAYER FOR INTERIM RELIEF

AND

CONTEMPT PETITION(C) NO. 310 OF 2009 IN SLP(C)NO.16956 OF 2008

AND

CONTEMPT PETITION(C) NO.81 OF 2010 IN SLP(C)NO.16956 OF 2008

AND

INTERLOCUTORY APPLICATION NO.2 in SLP 16956 & 13110/08

(Application for permission to file additional documents)

AND

INTERLOCUTORY APPLICATION NO.3 in SLP 13110/08

(Application for recalling Court's order dated 02.4.2009)

AND

INTERLOCUTORY APPLICATION NO.3 & 4 in SLP 16956/08 & 13110/08

(Application for directions)

AND

INTERLOCUTORY APPLICATION No. 1 IN SLP(C) Nos. 18920-18921 & 19927-19928 OF 2008

(Application for condonation of delay in filing SLP)

AND

INTERLOCUTORY APPLICATION Nos. 4-5 IN SLP(C) Nos. 10379-10380/2012

(Applications for vacation of Interim Stay)

Mang. Comm. S.S. D. Girls College & Ors. ...Petitioners

Versus

State of Punjab & Ors.

...Respondents

OFFICE REPORT

SLP(C) Nos. 13110, 19927-19928, 16956, 18920-18921 OF 2008, 10873, 10878, 10879, 11498 OF 2006 AND C.P.(C) Nos. 310/2009 & 81/2010

The matters above mentioned were listed before the Hon'ble Court on 19.01.2011 when the Court was pleased to pass the following order :-

"Let these matters be listed for final disposal on 29th March, 2011, at the top of the list. Let the contempt petitions be also heard along with these matters."

SLP(C)NO.13110 OF 2008

It is submitted that there are three respondents in the matters above mentioned. Mr. Kuldip Singh, Advocate has put in appearance on behalf of respondent Nos.1 and 2 and also filed Counter Affidavit (Counter Affidavit is included in the paper books). Mr. C.S. Ashri, Advocate has filed vakalatnama/appearance and counter affidavit on behalf of respondent No. 3. counter affidavit is included in the SLP paper books.

It is further submitted that Mr. C.S. Ashri, Advocate has on 07.10.2009 filed an application for permission to file additional affidavit along with affidavit (I.A. 2 is already included).

It is again submitted that Mr. Kuldip Singh, Counsel for the respondent nos.1 and 2 has on 18.2.2010 filed an application for recalling Court's order dated 02.4.09 in SLP No.13110/08(IA 3 is included in the paper books).

SLP(C) No. 19927-19928 of 2008

It is submitted that Dr. Kailash Chand and Mr. Kuldip Singh, Counsel for respondent Nos. 1-2 and 4 have filed counter affidavits. Dr. Kailash Chand, Counsel for respondent No. 4 has also filed additional documents. Copies of the same have already been included in the paper books. Respondent No. 3 has been served with dasti notice. No one has entered appearance on behalf of respondent No. 3 so far. No Rejoinder Affidavit has been filed so far.

Service of show cause notice is complete.

SLP(C) No. 16956/2008

It is submitted that Dr. Kailash Chand and Mr. Kuldip Singh, Counsel for respondent Nos. 1-2 and 3-4 have filed counter affidavit.

Copies of the same have already been included in the paper books. No Rejoinder Affidavit has been filed so far.

Service of show cause notice is complete.

It is further submitted that Mr. Ashok Kumar Mahajan, Counsel for the petitioner has on 03.09.2009 filed a Contempt Petition for violating the Order of this Hon'ble Court's Order dated 02.04.2009 which is registered as Contempt Petition No. 310 of 2009. Copy of the same has been included in the paper books.

It is further submitted that Dr. Kailash Chand, Counsel for respondent Nos. 1 and 2 has on 14.09.2009 filed an application for Direction which is registered as I.A. No. 3. Copy of the same has been included in the paper books.

It is further submitted that Mr. Ashok K. Mahajan, Counsel for the petitioner has on 18.2.2010 filed a fresh Contempt Petition with Annexures P1 to P5 against the respondent/Contemnor for violating this Hon'ble Court's Order dated 02.4.2009. Counsel has on 20.2.2010 filed a letter dated 19.2.2010(copy enclosed) and requested that earlier C.P.(C) No. 310 of 2009 filed on 03.9.2009 in which no notices has been issued so far and he do not want to pursue the C.P. (C) No. 310 of 2009 which is also registered as C.P.(C) No. 81 of 2010. Copy of the same has been included in the paper books. The said Contempt Petitions are listed before the Hon'ble Court with main matter.

SLP(C) Nos. 18920-18921/2008

It is submitted that Mr. Kuldip Singh and Dr. Kailash Chand, Counsel for respondent Nos. 1-2 and 4 have filed counter affidavits. Dr. Kailash Chand, Counsel for respondent No. 4 has also filed additional documents. Copies of the same have already been included in the paper books. Respondent No. 3 has been served by A.D. Card but no one has entered appearance so far. Counsel for petitioner has not filed Rejoinder Affidavit so far.

Service of show cause notice is complete.

It is further submitted that Original Records have been received

in SLP(C) No. 13110, 19927-19928, 16956 & 18920-18921 of 2008.

SLP(C) Nos. 10873, 10878, 10879 and 11498 of 2006

It is submitted that service of show cause notice is complete on all respondents.

Mr. A.P. Mohanty, Advocate has put in appearance on behalf of respondent no. 1 in SLP(C) Nos. 10873, 10879 and 11498 of 2006 and has filed counter affidavits. Copies of the same have been included in the paper books. No Rejoinder Affidavit has been filed. Mr. Debasis Misra, Advocate has put in appearance on behalf of respondent No. 1 in SLP(C) No. 10879 of 2006 but he has not filed counter affidavit. Respondent Nos. 2 to 5 are common in all the matters above mentioned and A.D. cards duly signed as proof of service have been received.

Service of show cause notice is complete in all the matters.

SLP(C) No. 8297/2012

The matter above mentioned was listed before the Hon'ble Court on 17.02.2012 when the Court was pleased to pass the following Order:-

"Delay condoned.

Issue notice and tag with S.L.P. (C) No.13110 of 2008."

Accordingly, show cause notice was issued by Regd. A.D. post on 16.04.2012.

It is also submitted that Mr. Subhash Bhowmick, Counsel for the respondent Nos. 1 & 2 has not filed counter affidavit so far. Respondent Nos. 3-4, 6-22 & 24 are represented through Mrs. Jaspreet Gogia, Advocate and she has filed counter affidavit. Copies of the same have been included in the paper books. Neither A.D. Card nor unserved cover containing notice has been received back from respondent no. 25 so far. Respondent Nos. 5 and 23 are dead and Counsel for the petitioners has on 06.03.2013 filed an application for substitution to bring on record Lrs. of deceased respondent Nos. 5 and 23 which is defective for the following reasons:

1. Application for setting aside the abatement has not been filed.
2. Notice of Motion has not been filed.

3. Copy of death certificate along with translated copy has not been filed.

Counsel for the Petitioner has not removed the afore-said defects so far despite this Registry's letter dated 16.03.2013.

Service of show cause notice on respondent nos. 5, 23 and 25 is not complete so far and complete on rest of the respondents.

SLP(C) Nos. 10379-80/12

The matters above mentioned were listed before the Hon'ble Court on 16.03.2012 when the Court was pleased to pass the following Order:-

"Delay condoned.

Issue notice.

Tag with SLP(C)No.13110 of 2008.

Let these matters be listed along with an Office Report as to their status, four weeks hence.

In the meantime, the contempt proceedings taken by the the respondent No.1, shall remain stayed."

Accordingly, show cause notice was issued by Regd. A.D. post on 18.04.2002. Mr. Subhashish Bhowmick, Advocate has filed vakalatnama/appearance on behalf of respondent Nos. 1-2 but he has not filed counter affidavit so far. Mrs. Naresh Bakshi, Advocate has not filed vakalatnama/appearance on behalf of respondent Nos. 3-6, 8-9 and she has also filed counter affidavit. Copy of the same has been included in the paper books. Neither A.D. Cards nor unserved covers containing notice have been received back from respondent nos. 7 and 10 so far.

Service of show cause notice is not complete on respondent nos. 7 and 10.

It is further submitted that Mr. Subhashish Bhowmick, Counsel for respondent Nos. 1-2 has on 12.02.2013 filed an application for vacation of Interim Stay of Order dated 16.03.2012 passed by this Hon'ble Court which are registered as I.A. Nos. 4-5 and the same were listed before the Hon'ble Court on 22.07.2013 when the Court was pleased to pass the following Order:

"List the I.As. along with the special leave petitions on 16th August, 2013 in the 'After Notice

Matters'."

SLP(C) No. 690/2013

Pursuant to Court's Order dated 02.01.2013, show cause notice has been issued to all the six respondents on 17.01.2013. Ms. Jyoti Mendiratta, Advocate has filed vakalatnama/appearance and counter affidavit on behalf of respondent Nos. 6 (counter affidavit is included in the paper book). A.D. cards have been received back from respondent nos.1 to 3 and 5 but no one has entered appearance on their behalf. Neither A.D. Card nor unserved cover containing notice has been received back from respondent no. 4 so far.

Service of show cause notice is not complete on respondent No. 4.

SLP(C) No. 693/2013

Pursuant to Hon'ble Court's Order dated 02.01.2013, show cause notice has been issued to all the three respondents on 17.01.2013. Ms. Jyoti Mendiratta, Advocate has filed vakalatnama/appearance and counter affidavit on behalf of respondent No. 1. (Counter affidavit is included in the paper books). Neither A.D. Cards nor unserved covers containing notice have been received back from respondent nos. 2 and 3 so far.

Service of show cause notice is not complete on respondent nos. 2 and 3.

SLP(C) No. 695/2013

Pursuant to Hon'ble Court's Order dated 02.01.2013, show cause notice has been issued to the sole respondent on 17.01.2013. A.D. card has been received back but no one has entered appearance on its behalf.

Service of show cause notice is complete.

SLP(C) No. 696/2012

Pursuant to Hon'ble Court's Order dated 02.01.2013, show cause notice has been issued to both the respondents on 17.01.2013. Mr. Satyendra Kumar, Advocate has filed vakalatnama/appearance and on behalf of respondent No. 2 and short reply by way of affidavit to the

SLP and applications for condonation of delay in filing SLP. The same are circulated to the Hon'ble Court. Mr. Satyendra Kumar, Advocate has filed short reply by way of affidavit to the SLP and application for condonation of delay but he has not file vakalatnama/appearance on behalf of respondent No. 1 so far. The reply are circulated to the Hon'ble Court.

SLP(C) No. 9854/2013

The matter above mentioned was listed before the Hon'ble Court on 25.02.2013, when the Court was pleased to pass the following order:-

"Issue notice on the application for condonation of delay, as also on the special leave petition.

Let the matter be heard along with S.L.P.(C) No.13110 of 2008.

In the meantime, the contempt proceedings before the High Court, shall remain stayed."

It is submitted that show cause notice has been issued to all the five respondents on 26.03.2013. Neither A.D. Card nor unserved cover containing notice has been received back so far.

Service of show cause notice is incomplete.

The matters along with the Contempt Petitions and applications are listed before the Hon'ble Court with this office report.

Dated this the 14th day of August, 2013.

Copy to:

ASSISTANT REGISTRAR

Ms. S. Janani, Advocate
Mr. C.S. Ashri, Advocate
Dr. Kailash Chand, Advocate
Mr. Kuldip Singh, Advocate
Mr. Ashok K. Mahajan, Advocate
Mr. Dinesh Kumar Garg, Advocate
Mr. A.P. Mohanty, Advocate
Mr. Devashish Misra, Advocate
Mr. Jagjit Singh Chhabra, Advocate
Ms. Jaspreet Gogia, Advocate
Mr. Subhashish Bhowmick, Advocate
Mr. S.K. Sabharwal, Advocate
Mrs. Naresh Bakshi, Advocate

Mrs. Jyoti Mendiratta, Advocate
Mr. Satyendra Kumar, Advocate

ASSISTANT REGISTRAR

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