

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

BEFORE THE REGISTRAR M K HANJURA

Civil Appeal No(s). 9799/2010

NATIONAL HIGHWAYS AUTHORITY OF INDIA

Appellant(s)

VERSUS

M/S ITD CEMENTATION INDIA LTD.

Respondent(s)

WITH

C.A. No. 6982/2013

C.A. No. 6158/2013

(With Interim Relief and Office Report)

Date : 20/11/2014 These appeals were called on for hearing today.

For Appellant(s)

Mr. K. C. Dua,Adv.

Mr. Gunjan S. Jain,Adv.

Mr. Tavinder Pal Sidhu,Adv.

M/s. M. V. Kini & Associates,Adv.

Mr. Chandan Kumar,Adv.

Mr. Anirudh Mayee,Adv.

For Respondent(s)

Mr. Mohan Das K.K.,Adv.

Mr. R. Sathish,Adv.

Mr. Devendra Singh,Adv.

UPON hearing the counsel the Court made the following
O R D E R

C.A. No. 9799/2010

The office report is that the appellant has filed the

statement of case. The office report proceeds to state that the respondent has failed to file the statement of case and by order dated 26.9.2014 of the Hon'ble Judge in chamber it has been directed that in view of the amended Supreme Court Rules, statement of case is not required to be filed. Viewed thus, the matter shall be processed for listing before the Hon'ble Court under the rules.

C.A. No. 6982/2013

The office report is that neither the appellant nor the respondent has filed the statement of case, although they were notified to do so by notice dated 25.1.2014 of the Registry. Order XIX Rule 32 of the Supreme Court Rules, 2013 provides that if the appellant does not file a statement of case within the time, as provided for in sub rule (1), it shall be presumed that the appellant has adopted the list of dates/synopsis containing chronology of events as filed at the time of presentation of petition for seeking special leave to appeal (SLP)/Appeal, as statement of case, and does not desire to file any further statement of case. The order further provides that if the respondent who has entered appearance does not file a statement of case within the time, as provided in Sub Rule(1) (i.e. 35 days) it shall be presumed that he does not desire to lodge the same. Therefore, in view of the rule position cited above no further opportunity for filing the statement of case is warranted to be given to the parties. Viewed thus, the matter shall be processed for listing before the Hon'ble Court under the rules.

C.A. No. 6158/2013

The office report is that neither the appellant and the respondent have failed to file the statement of case, although they were notified to do so by notice dated 23.7.2014 of the

Registry. Order XIX Rule 32 of the Supreme Court Rules, 2013 provides that if the appellant does not file a statement of case within the time, as provided for in sub rule (1), it shall be presumed that the appellant has adopted the list of dates/synopsis containing chronology of events as filed at the time of presentation of petition for seeking special leave to appeal (SLP)/Appeal, as statement of case, and does not desire to file any further statement of case. The order further provides that if the respondent who has entered appearance does not file a statement of case within the time, as provided in Sub Rule(1) (i.e. 35 days) it shall be presumed that he does not desire to lodge the same. Therefore, in view of the rule position cited above no further opportunity for filing the statement of case is warranted to be given to the parties. Viewed thus, the matter shall be processed for listing before the Hon'ble Court under the rules.

(M K HANJURA)
Registrar