

SECTION IVB

Listed on 06.01.2017

Court No. 5

IN THE SUPREME COURT OF INDIA Item No. 6

CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION NO. 3

(Application for Direction)

IN

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL)NOS. 29593 OF 2015.

WITH PRAYER FOR INTERIM RELIEF

Kapur Singh & Ors.

Petitioner(s)

Versus

Director, Rural Dev.

Panchayats & Ors.

Respondent(s)

OFFICE REPORT

The matter above mentioned was listed before the Hon'ble Court on 06.11.2015, when the Court was pleased to pass the following order:-

" Application for exemption from filing O.T. is allowed.

Issue notice.

Dasti, in addition, is permitted.

Tag with S.L.P.(C) No.25962 of 2011.

Status quo, existing as on today, shall remain in force till the next date of hearing."

It is submitted that Counsel for the petitioner did not file spare copies for effecting service upon Respondent Nos. 1 to 3. Hence show cause notice could not be issued by registered A.D. Post as well as Dasti. The default was mentioned in common office report dated 09.01.2016 (Main matter SLP (C) No. 25962/2011) when instant matter was listed on 11.01.2016 alongwith main matter SLP (C) No. 25962/2011 and as per Court's order dated 11.01.2016, this group is to be listed after completion of service and pleadings in all the matters. The counsel for the petitioner has on 15.01.2016 filed

spare copies which was barred by 63 days. However, Mr. Merusagar Samantaray, Advocate has on 01.02.2016 and 10.03.2016 filed Vakalatnama & Memo of Appearance and Counter Affidavit on behalf of Respondent No. 3 respectively. Mr. Devendra Singh, Advocate has on 18.02.2016 filed Vakalatnama & Memo of Appearance and Counter Affidavit on behalf of Respondent Nos. 1 to 3 although Mr. Merusagar Samantaray, Advocate has already filed Vakalatnama & Memo of Appearance and Counter Affidavit on behalf of Respondent No. 3. A letter was issued to Mr. Devendra Singh, Advocate in this regard but the Counsel has not cured the defects in the Counter Affidavit so far. However, copy of Counter Affidavit is included in the SLP Paper Books.

It is further submitted that Mr. Merusagar Samantaray, Advocate for Respondent No. 3 has filed an application for direction which is registered as I.A. No. 3 and is included in the Paper Books.

Service of show cause notice is complete.

The application above mentioned is listed before the Hon'ble Court with this office report.

Dated this the 05th day of January, 2017.

ASSISTANT REGISTRAR

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Mr. Devendra Singh, Adv.

ASSISTANT REGISTRAR

haokip/chetan