

SECTION IVB

Listed on 11.04.2016

Court No. 7

IN THE SUPREME COURT OF INDIA Item No. 7
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION NO. 2

(Application for vacating of Stay of order dated
06.11.2015)

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 has on 15.01.2016 filed spare copies which was barred by 63 days. However, Mr. Merusagar Samantaray, Advocate has on 01.02.2016 filed Vakalatnama & Memo of Appearance on behalf of Respondent No. 3 and he has on 10.03.2016 filed Counter Affidavit on behalf of Respondent No. 3 which has been included in the Paper Books. 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 has on 10.03.2016 filed Counter Affidavit on behalf of Respondent No. 3. A letter has been issued to Mr. Devendra Singh, Advocate in this regard but the Counsel has not cured the defects in the Counter Affidavit so far. However, copies of Counter Affidavit are being circulated with this office report.

It is further submitted that Mr. Merusagar Samantaray, Advocate for Respondent No. 3 has on 09.03.2016 filed an application for Vacating of stay of order dated 06.11.2015 which is registered as I.A. No. 2 and 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 9th day of April, 2016.

ASSISTANT REGISTRAR

Copy to : M/s Aura & Co., Adv.
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Mr. Devendra Singh, Adv.

ASSISTANT REGISTRAR