

SECTION IVB

Listed on 16.02.2016

Court No.R-1

IN THE SUPREME COURT OF INDIA Item No. 8
CIVIL APPELLATE JURISDICTION

PETITIONS FOR SPECIAL LEAVE TO APPEAL(CIVIL)NOS. 11183,
12547, 23587, 17603 OF 2012, 1285, 30011, 11078 OF 2013,
29337, 29593 AND 20672 OF 2015.

WITH PRAYER FOR INTERIM RELIEF

Kirpal Singh & Ors. Etc. Petitioner(s)

Versus

State of Punjab & Ors. Etc. Respondent(s)

OFFICE REPORT

SLP (C) No. 11183, 17603, 23587 OF 2012, 1285, 11078,
30111 OF 2013

The matters above mentioned alongwith connected matters were listed before the Hon'ble Court on 16.10.2015, when the Court was pleased to pass the following order:-

“ Service is not complete.
List after eight weeks.
Dasti service is permitted.”

SLP (C) No. 11183/2012

It is submitted that there are 4 respondents in the matter. Respondent no. 1 is represented through Counsel and Counter Affidavit has been filed. Counsel for respondent no. 2 has not filed Counter Affidavit so far. In respect of deceased respondent no. 3, application for substitution was listed before the Hon'ble Court (In Chambers) on 18.01.2016 and the application for substitution to bring on record LRs of deceased Respondent No. 3 and the SLP qua Respondent No. 3 abates and are dismissed. Respondent no. 4 is deleted vide Hon'ble Chamber Judge Order dated 11.08.2014.

Service of show cause notice is complete.

SLP (C) NO. 1285/2013

It is submitted that Counsel for the petitioners has not filed an application for substitution to bring on record the LRs of deceased Respondent Nos. 8 & 21 till date.

It is further submitted that Mr. Jagjit Singh Chhabra, Advocate has on 18.02.2014 filed Vakalatnama & Memo of Appearance on behalf of Respondent Nos. 1 to 3 but has not filed Counter Affidavit on their behalf so far.

It is further submitted that unserved covers containing notice have been received back from Respondent Nos. 4-7, 9-20, 22-24, 26, 28-31 and 33-35 respectively with remarks, " Refused" and from Respondent Nos. 8, 21 with remarks, " Dead" and for Respondent No. 25 with remarks " Left without Address". Neither A.D. card nor unserved cover containing notice has been received back from Respondent nos. 27 & 32 so far.

Service of show cause notice is complete on Respondent Nos. 1 to 3 and is incomplete on remaining respondents.

SLP (C) NO. 11078/2013

It is submitted that pursuant to the Hon'ble Court's order dated 04.03.2013, show cause notice was issued to all the three respondents on 03.04.2013. Mr. Jagjit Singh Chhabra, Advocate has on 05.01.2015 filed Vakalatnama & Memo of Appearance on behalf of Respondent No. 1 and he has on 31.03.2015 filed Counter Affidavit on his behalf. Copies of the same are included in the SLP Paper Books. Mr. B. Ramana Murthy, Advocate has on 08.07.2015 filed Vakalatnama /Memo of Appearance on behalf of Respondent No. 3 but no Counter Affidavit has been filed so far. Neither A.D. card nor unserved cover containing notice has been received back from Respondent No. 2.

Service of show cause notice is incomplete on

Respondent No. 2.

SLP (C) NO. 30011/2013

It is submitted that there are two respondents in the matter. M/s. Aura & Co., Advocate has on 18.01.2014 filed Vakalatnama & Memo of Appearance on behalf of Respondent No. 2 but no Counter Affidavit has been filed so far. Neither A.D. card nor unserved cover containing notice has been received back from Respondent no. 1 so far.

Service of show cause notice on Respondent No. 1 (Government body) is incomplete.

SLP (C) No. 12547/2012

It is submitted that Counsel for the petitioner has not filed affidavit with proof of dasti service in respect of respondent no. 10 so far. Respondent nos. 1 to 9 are represented through Counsel and Counter Affidavit has been filed. Respondent nos. 11-31 have already been deleted as per the Order of the Hon'ble Court (In Chambers) dated 05.02.2013.

Service of show cause notice is incomplete on respondent no. 10.

SLP (C) No. 22731/2012

It is submitted that Mr. Jagjit Singh Chhabra, Advocate for respondent nos. 1-9 has not cured the defect in Counter Affidavit till date despite 2 weeks time granted by the Ld. Registrar as a final chance.

It is further submitted that no one has entered appearance on behalf of respondent no. 10 though served through registered A.D. Post.

Service of show cause notice is complete.

SLP (C) No. 23587/2012

It is submitted that there are four respondents in the matter. Respondent Nos. 1 & 2 are represented through

Mr. Jagjit Singh Chhabra, Advocate and Counter Affidavit has also been filed. Copy of the same is included in the SLP Paper Books. Respondent No. 3 is served though registered A.D. Post but no one has put in appearance on his behalf. Counsel for the petitioner has not taken fresh steps for service of show cause notice on the unserved Respondent No. 4 so far.

Service of show cause notice is incomplete.

SLP (C) NO. 17603/2012

It is submitted that there are 12 respondents in the matter. Respondent Nos. 1-10 & 11 are represented through Ms. Kuldeep Singh and Vineet Bhagat, Advocates respectively. Both the Advocates have filed Counter Affidavits and the same have been included in the Paper Books. Mrs. Sharmila Upadhyay, Advocate for the Petitioner has filed an application for deletion of the name of Respondent No. 12 which is defective for the reason that she has not served its copy on other Advocates appearing in the matter.

Service of show cause notice is not complete on Respondent No. 12.

SLP (C) No. 29337/2015

The matter above mentioned was listed before the Hon'ble Court on 02.11.2015, when the Court was pleased to pass the following order:-

" Issue notice.

In the meanwhile, status quo, as it exists today, shall be maintained by the parties.

Tag with SLP(C) No.3384/2012."

It is submitted that Counsel for the petitioner has not filed spare copies within stipulated time. He has on 15.01.2016 filed spare copies which is barred by time 67 days. Counsel has not filed application for condonation of delay in filing spare copies in respect of Respondent

Nos. 1 to 10. Hence, show cause notice could not be issued.

It is further submitted that the matter will be listed before the Hon'ble Court (In Chambers) with office report on default.

SLP (C) No. 29593/2015

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 has on 15.01.2016 filed spare copies of SLP which is barred by time by 63 days. Counsel has not filed an application for condonation of delay in filing spare copies. Hence, show cause notice could not be issued to Respondent Nos., 1 to 3.

It is further submitted that Mr. Merusagar Samantaray, Advocate has on 01.02.2016 filed Vakalatnama & Memo of Appearance on behalf of Respondent No. 3.

It is further submitted that the matter will be listed before the Hon'ble Court (In Chambers) with office report on default.

SLP (C) No. 20672/2015

The matter above mentioned was listed before the Hon'ble Court on 04.09.2015, when the Court was pleased to pass the following order:-

" Issue notice.
Tag with SLP(C) No. 25962 of 2011.
Interim order in the same terms, as in SLP(C)No. 25962 of 2011."

Accordingly, show cause notice was issued to all the three respondents on 17.09.2015. Mr. Devender Singh, Advocate has filed Vakalatnama & Memo of Appearance on behalf of Respondent Nos. 1 & 2 but no Counter Affidavit has been filed so far. Neither A.D. card nor unserved cover containing notice has been received back in respect of Respondent No. 3.

Service of show cause notice is not complete on Respondent No. 3.

The matters are listed before the Ld. Registrar with this office report.

Dated this the 15th day of February, 2016.

ASSISTANT REGISTRAR

Copy to : Mr. Shekhar Kumar, Adv.
Mr. Subhashish Bhowmick, Adv.
Mr. Kuldip Singh, Adv.
Mr. J.S. Chhabara, Adv.
Mr. Devender Singh, Adv.

ASSISTANT REGISTRAR

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