

**SECTION-XIV
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

SLP(C) Nos. 8710/09, 14361/09, 19750/2011 & C.A. No. 657/2016

With

INTERLOCUTORY APPLICATION NO. 5

(Applications for impleadment in SLP No.8710/09)

With

INTERLOCUTORY APPLICATION NOS.6

(Application for directions in SLP No.8710/09)

With

INTERLOCUTORY APPLICATION NOS.7

(Application for intervention in SLP No.8710/09)

With

INTERLOCUTORY APPLICATION NO.1

(Application for direction for detagging the matter from Civil Appeal No. 3152-3154/2009 in SLP (C) No. 14361 of 2009)

With

INTERLOCUTORY APPLICATION NO.

(Applications for impleadment in SLP(C) Nos. 8710/09 filed by Mr. Himinder Lal, Adv.)

With

INTERLOCUTORY APPLICATION NO. 1

(Applications for impleadment in SLP(C) Nos. 14361/09 filed by Mr. Himinder Lal, Adv.)

R.K. Barwal & Ors. ETC.

...APPELLANTS

VERSUS

STATE OF HIMACHAL PRADESH & ORS. ETC.

...RESPONDENTS

OFFICE REPORT

It is submitted that the matters alongwith applications above-mentioned were listed before the Hon'ble Court on 13.07.2016, when the Court was pleased to pass the following Order : -

"SLP (C) NOS. 14361 & 8710/2009, 19750/2011 and C.A. No. 657/2016

List after four weeks. The matter shall retain its position.

...."

Service Position is as follows:-

SLP(C) No.8710/2009

It is submitted that Mr. Himinder Lal, Advocate has filed application for impleadment (Regd. as I.A.No.5) and the same has been included in SLP paper books.

It is further submitted that Mr. Balraj Dewan, Advocate has filed application for direction for detagging the matter from Civil Appeal Nos. 3152-3154/2009(Regd. as I.A.No.6) and the same has been included in SLP paper books.

It is further submitted that Mr. B.Y.Kulkarni, Advocate has on 13.7.2013 filed application for intervention (Regd. as I.A.No.7) and the same has been included in SLP paper books.

It is further submitted that Mr. Himinder Lal, Advocate has filed application for impleadment of applicant namely Mr. R. K. Kaushal & Ors. without serving its copy to the other side and the same as unregistered has been placed with SLP paper books. He has also filed contempt petition on behalf of applicants Mr. Ravi Kant Kaushal against Shri Parthasarathi Mitra etc. for disobeying this Court's Order dated 16.03.2009 (unregistered) and the same has been placed with SLP paper books. Now Mr. Himinder Lal, Advocate for applicant has on 02.03.2016 filed a letter for withdrawal of above Contempt Petition alongwith a letter of applicant and the copy of same has been enclosed.

Service is already complete.

SLP(C) No. 14361 of 2009

It is submitted that Mr. Himinder Lal, Advocate has filed application for direction for detagging the matter from Civil Appeal No. 3152-3154/2009 (Regd. as I.A.No.1) and the same has been included in SLP paper books.

It is further submitted that Mr. Himinder Lal, Advocate has filed application for impleadment and the same is registered as I. A. No. 3 and the same has been placed with SLP paper books.

It is further submitted that he has also filed contempt petition on behalf of applicant Mr. Ravi Kant Kaushal & Ors. against Shri Parthasarathi Mitra etc. for disobeying this Court's Order dated 16.03.2009 in SLP(C) No. 8710 of 2009 (unregistered) and the same has been placed with SLP paper books. Now Mr. Himinder Lal, Advocate for applicant has on 02.03.2016 filed a letter for withdrawal of above Contempt Petition alongwith a letter of applicant and the copy of same has been enclosed.

Service is complete.

SLP (C) No.19750/2011

Pursuant to this Court's order dated 1.8.2011, show cause notice was issued to all the 6 respondents by Regd. A.D. on 24.8.2011, Mr. Naresh Kr. Sharma, Advocate has on 21.9.2011 filed vakalatnama/appearance on behalf of Respondent Nos.1 & 2 but has not filed counter affidavit. Nothing has been received from respondent Nos. 3 to 6.

For non-filing of counter affidavit by the counsel appearing for respondent Nos.1 & 2 and for non-completion of service in respect of respondent Nos.3 to 6, fresh show cause notice through concerned District Court was issued to unserved respondent Nos.3 to 6 vide Ld. Registrar Court's order dated 30.7.2012. Service report duly served on respondent Nos.3 to 6 has been received from concerned District Court but none has filed vakalatnama/appearance so far.

The matter was lastly listed before ld. Registrar Court on 10.04.2013 when the following order was passed:-

"In all there are six respondents.

Respondent Nos.1 and 2 have failed to file counter affidavit within the time granted by the Court.

Respondent Nos.3 to 6 are reported to be duly and properly served through post and the concerned District Court but none appeared nor any steps have been taken on their behalf.

No further steps required.

The matter be processed for listing before the Hon'ble Court, as per rules."

It is submitted that counsel appearing for Respondent Nos. 1 & 2 has not filed counter affidavit and no one has filed vakalatnama/appearance on behalf of respondent Nos.3 to 6 though served through District Court.

Service is complete.

C.A. No. 657/2016:-

It is submitted that there is sole respondent in the appeal.

Service of notice of lodgment of petition of appeal on the sole respondent is complete. Mr. Balraj Dewan, Advocate has entered appearance on his behalf.

The matters alongwith applications above mentioned are listed before the Hon'ble Court with this Office Report.

DATED THIS THE 12th DAY OF AUGUST, 2016.

ASSISTANT REGISTRAR

Copy to:-

1. Mr. Ashok K. Mahajan, Advocate
2. Mr. Anil Nag, Advocate
3. Mr. Naresh Kumar Sharma, Advocate
4. Mr. B. Y. Kulkarni, Advocate
5. Ms. Promilla, Advocate
6. Mr. Rajiv Kumar Bansal, Advocate
7. Ms. Binu Tamta, Advocate
8. Mr. Balraj Dewan, Advocate
9. Ms. Pragati Neekhara, Advocate
10. Mr. Himinder Lal, Advocate.

ASSISTANT REGISTRAR