

SECTION IV B

Listed on.6.1.2015

Court No.5

IN THE SUPREME COURT OF INDIA    Item No.3  
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL)NOS. 17216, 17358, 17359, 17383, 17384, 17389, 17397, 17398, 17400, 17401, 17402, 17403, 17404, 17405, 17406, 17407, 17408, 17409, 17411, 17413, 17414, 17418, 17420, 17424, 17426, 17427, 17428, 17429, 17430, 17431, 17434, 17435, 17436, 17437 AND 19582 OF 2011

State of Punjab & Ors.

....Petitioner(s)

Versus

Joginder Pal Tripathi Etc. Etc.

....Respondent(s)

OFFICE REPORT

The matter above mentioned was listed before the Hon'ble Court on 4.7.2011, when the Court was pleased to pass the following order :-

“                    Delay condoned.  
                      Issue notice returnable on 2<sup>nd</sup> August, 2011.

                      Let these matters be listed on the returnable dated.”

Accordingly, show cause notice was issued to the respondent in all the matters.

Service position of each matter is as under :-

SLP NO.	Total RRs.	AD Card received	V/A	C/A	Served Thr. District Court	Neither AD Card nor unserved cover	Remarks
17216/11	1	1	-	-	-	-	Complete but no one has entered appearance
17358/11	1	-	1	-	-	-	Complete
17359/11	1	-	1	1	-	-	Complete
17383/11	1	-	1	-	-	-	Complete
17384/11	1	1	-	-	-	-	Complete but no one has entered appearance

17389/11	1	1	-	-	-	-	Complete but no one has entered appearance
17397/11	1	1	-	-	1	-	Complete but no one has entered appearance
17398/11	1	-	1	-	1	-	Complete & V/A filed but counter affidavit not filed
17400/11	1	-	-	-	1	-	Complete but no one has entered appearance
17401/11	1	1	1	-	-	-	Complete but no counter affidavit
17402/11	1	1	-	-	1	-	Complete but no one has entered appearance
17403/11	1	1	-	-	-	-	Complete but no one has entered appearance
17404/11	1	-	1	-	-	-	Complete but no counter affidavit
17405/11	1	1	-	-	-	-	Complete but no one has entered appearance
17406/11	1	-	-	-	1	-	Complete but no one has entered appearance
17407/11	1	-	1	-	-	-	Complete but no counter affidavit
17408/11	1	1	-	-	-	-	Complete but no one has entered appearance
17409/11	1	-	1	-	-	-	Complete but no counter affidavit
17411/11	1	1	-	-	-	-	Complete but no one has entered appearance

17413/11	1	-	1	-	-	-	Complete but no counter affidavit
17414/11	1	-	1	1	-	-	Complete
17418/11	1	1	-	-	1	-	Complete but no one has entered appearance
17420/11	1	-	-	-	1 (Served by daughter in law)	-	Incomplete
17424/11	1	-	-	-	1	-	Complete but no one has entered appearance
17426/11	1	-	-	-	1	-	Complete but no one has entered appearance
17427/11	1	-	1	-	-	-	Complete but no counter affidavit
17428/11	1	-	-	-	1	-	Complete but no one has entered appearance
17429/11	1	-	1	-	-	-	Complete but no counter affidavit
17430/11	1	1	-	-	-	-	Complete but no one has entered appearance
17431/11	19	16	1-3, 5-7, 14-15, 17-18	-	4, 8, 9, 11, 12, 13	-	Incomplete (Respondent Nos. 10 & 19) (Expired) Application for substitution not filed
*17434/11	1	-	-	-	-	-	Complete
17435/11	1	1	-	-	-	-	Complete
17436/11	1	-	-	-	1	-	Complete
17437/11	1	1	-	-	-	-	Complete

\*SLP (C) No. 17434/2011

It is submitted that show cause notice was issued to sole respondent. A letter from sole respondent has been received on 30.7.2011 by Fax photocopy stating therein that due to some urgent domestic work he is in United Kingdom for two months and has requested to allow him to file reply after two months but he has not filed reply so far.

SLP (C) No. 19582/2011

The matter above mentioned was listed before the Hon'ble Court on 1.8.2011, when the Court was pleased to pass the following order :-

"Issue notice.

Tag with SLP (C) No. 17216 of 2011."

Accordingly show cause notice was issued to all the four respondents by registered AD Post. AD Card duly signed has been received back from Respondent No. 4. No one has filed Vakalatnama and Memo of Appearance on their behalf so far.

The matters above mentioned were listed before the Hon'ble Court on 4.5.2012, when the Court was pleased to pass the following order :-

" Issue fresh notice with dasti service on unserved respondents in concerned SLPs, which is permitted to be served through the nearest Civil Court/Trial Court where private parties are concerned and through standing counsel where State authorities are concerned, if process fee and spare copies are paid before 11.5.2012, else list before the Hon'ble Judge in Chamber for non-prosecution. Registry has to follow the directions as per Circular dated 19.1.2012.

If notices are issued, list again on 18.7.2012.

Served respondents may file counter affidavit till then."

It is submitted that fresh show cause notice

could not be issued to the unserved respondents due to non-filing of process fee and spare copies of SLPs.

SLP (C) No. 17431/2011

It is submitted that counsel for the petitioner Mr. Jagjit Singh Chhabra, Advocate has on 11.9.2014 filed proof of service of two SLP paper books on Mr. Vineet Bhagat and Mr. B.V. Kulkarni, Advocates. However Mr. Vineet Bhagat, Advocate does not seem to be an Advocate in this matter.

Remaining respondent Nos. 4, 8, 9, 11, 12, 13 and 16 are duly served through Post and District Court but none appeared nor any steps have been taken on their behalf.

It is submitted that counsel for the petitioner has not initiated any steps for substitution of deceased respondent nos. 10 and 19 so far.

SLP (C) No. 17398/2011

It is submitted that counsel for the petitioner has not filed proof of copy of pleadings served upon counsel for sole respondent.

It is further submitted that Mr. Vineet Bhagat, Advocate has not filed counter affidavit on behalf of sole respondent so far.

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

Dated this the 3rd day of January, 2015.

ASSISTANT REGISTRAR

Copy to :-MS. Kavita Wadia, Adv.  
Mr. B.Y. Kulkarni, Adv.  
Mr. Vineet Bhagat, Adv.

ASSISTANT REGISTRAR

The matters above mentioned were listed before the Ld. Registrar on 31.10.2014, when the following order was passed:-

" Service is complete in all matters but no one has put in appearance on their behalf except in SLP (C) Nos. 17398 and 17431 of 2011.

SLP(C) NO.17398/2011

Petitioner to supply complete set of pleadings to the ld. Counsel for the respondent within one week. Counter affidavit be filed within four weeks thereafter.

SLP(C) NO.17431/2011

Lat opportunity is granted to the ld. Counsel for the petitioner for moving application for substitution in respect of respondent Nos. 10 and 19 who are reported to have expired.

Four weeks time is granted to the served respondents for filing counter affidavit subject to receipt of pleadings.

Petitioner to submit proof of service of pleadings.

List again on 31.10.2014."