

SECTION-IX
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS.13834-13835 OF 2011
WITH
PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 16955 OF 2015
WITH
INTERLOCUTORY APPLICATION NO.1
(Application for condonation of delay in SLP(C) Nos.13834-13835 of 2011)

M/S S.D. SHINDE TR. PARTNER ...PETITIONER
-VS.-
GOVT. OF MAHARASHTRA & ORS. ...RESPONDENTS

OFFICE REPORT

SPECIAL LEAVE PETITION(CIVIL) NOS.13834-13835 OF 2011

The matters above mentioned were listed before the Hon'ble Court on 6th May, 2011 when the Court was pleased to pass the following order:

"Issue notice both on the application for condonation of delay, as also on the Special Leave Petition.

Dasti service in addition, is permitted.

Since the Respondent No.1 is represented on caveat, service of notice on the said respondent is dispensed with. Let the other respondents be served in the usual course and also by way of dasti service.

Thereafter, the special leave petitions above mentioned were listed before the Hon'ble Court on 21st February, 2014, when the Court was pleased to pass the following order:

"Mr. V.A. Mohta, learned senior counsel for the petitioner, submits that the issue involved in the present matter referred to a 3-Judge Bench in Orma Impex Pvt. Ltd. Vs. Nissai ASB ATE Ltd.(1999) 2SCC 541. He further submits that, despite the best efforts made by the advocate-on-record for the petitioner, nothing is known about the reference.

The Registry is directed to submit Office Report about the progress in the above referred matter within two weeks from today.

Let Office Report come up for consideration after two weeks."

Thereafter, the matters above mentioned were again listed before the Hon'ble Court on 17th April, 2014 when the Court was pleased to pass the following order:

"List the matter for final disposal on a non-miscellaneous day within three months from today."

It is submitted for information of the Hon'ble Court that there are nine respondents in these matters. Mr. V.K.Sidharthan, Advocate has filed Vakalatnama/appearance and Counter Affidavit on behalf of Respondent No.1 and the same is already included in the paper books. Mr.Shekhar Kumar, Advocate has entered appearance on behalf of Respondent Nos.2, 3 and 5 but Counter affidavit not filed. Mr.Umang Shankar, Advocate has entered appearance on behalf of Respondent Nos.6 to 8 but Counter affidavit not filed. A.D.Cards duly signed have been received in respect of Respondent Nos.4 and 9 but no one has entered appearance on their behalf.

It is further submitted that counsel for the petitioner has filed rejoinder affidavit and the same has already been included in the paper-books.

It is further submitted that Civil Appeal No. 1538 of 1999 arising out of SLP (C) No. 12788 of 1998 entitled M/s. Orma Impex Pvt. Ltd. Vs. M/s. Nissai ASB PTE. Ltd. was dismissed by this Hon'ble Court on 12.10.1999 and copy of the order is already included in the paper-books.

Service of notice is complete.

SPECIAL LEAVE PETITION(CIVIL) NO. 16955 OF 2015

The matter above mentioned was listed before the Hon'ble Court on 16th July, 2015 when the Court was pleased to pass the following order:

**"Issue notice.
Tag with SLP(C) Nos.13834-13835/2011".**

It is submitted for information of the Hon'ble Court that there are nine respondents in this matter. A.D. Cards duly signed have been received in respect of Respondent Nos. 2 and 3 but no one have entered appearance on their behalf. Neither A.D. Cards nor unserved covers have been received in respect of Respondent Nos.1 and 4 to 9.

It is further submitted that respondent Nos. 1 and 3 to 9 are common respondents in connected matter i.e. SLP(C) Nos. 13834-13835 of 2011. Respondent No. 1, 3, 5-8 are represented through respective Advocates in the said matters and respondent Nos. 4 and 9 are served with the notice but no one has

entered appearance on their behalf.

Service of notice is not complete on Respondent Nos.1 and 4 to 9.

The matters above-mentioned are listed before the Hon'ble Court with this report.

Dated this the 01st day of February, 2016.

ASSISTANT REGISTRAR

Copy to :-

Mr. Ashok Kumar Gupta, Advocate.

Mr. V.K. Sidharthan, Advocate

Mr. Shekhar Kumar, Advocate

Mr. Umang Shankar, Advocate.

Mr. Mohit Kumar Shah, Advocate

L

ASSISTANT REGISTRAR