

IN THE SUPREME COURT OF INDIA

Petition(s) for Special Leave to Appeal (Civil) No(s).13834-13835/2011

(From the judgement and order dated 13/08/2009 in LPA No. 190/2009 & AFO No . 108/2005 of The HIGH COURT OF BOMBAY AT AURANGABAD)

M/S S.D.SHINDE TR.PARTNER

Petitioner(s)

VERSUS

GOVT.OF MAHARASHTRA & ORS.

Respondent(s)

OFFICE REPORT

The special leave petitions above mentioned were listed before the Hon'ble Court on 21.2.2014, 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.”

It is submitted for information of the Hon'ble Court that SLP (c) No.12788/98 entitled M/s Orma Impex Pvt. Ltd. v. M/s Nissai ASB PTE. Ltd. was listed before the Hon'ble Court on 19.8.1998 [Reported in (1999) 2 SCC 541], when the Court was pleased to inter alia pass the following Order:

“It is, therefore, appropriate to direct this special leave petition to be placed before a Bench of three Judges of this Court. The Office may obtain appropriate orders from Hon'ble the Chief Justice of India in this connection.”

[Copy of the Order dated 19.8.1998 is enclosed herewith.]

Pursuant to the above reference, the matter was listed before a Three-Judge Bench of the Hon'ble Court (Hon'ble S.P. Bharucha (as His Lordship then was), Hon'ble D.P. Mohapatra and Hon'ble R.C. Lahoti (as His Lordship then was), JJ) on 12.3.1999 when the following order was passed:-

“Leave granted. Appeal expedited.

Liberty to the parties to apply for a fixed date of hearing.”

(copy of the record of proceedings is enclosed herewith)

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The matter being Civil Appeal No. 1538 of 1999 was thereafter listed before the Hon'ble Court on 12.10.1999 when the Court dismissed the Civil Appeal with costs. Copy of order dated 12.10.1999 is enclosed for kind perusal of the Hon'ble Court.

Service of notice is complete.

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

Dated this the 05th day of March, 2014.

ASSISTANT REGISTRAR

