

**SECTION XVII**

MATTER FOR : 29.04.2015

R/COURT NO.: 01

ITEM NO. : 13

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

**CIVIL APPEAL NO. 2563 OF 2012**

Smt. Rasila.S. Mehta & Anr. .... Appellants  
VERSUS  
Custodian & Anr. .... Respondents

**OFFICE REPORT**

**Civil Appeal No. 2563/2012**

The matter above-mentioned was listed before the Hon'ble Court on 24<sup>th</sup> February, 2012, when the Hon'ble Court was pleased to inter-alia pass the following order:

**"Delay condoned.**

**Issue notice in the appeal to show cause as to why the appeal be not admitted."**

It is submitted that there are two respondents in the matter. Respondent No. 1 & 2 are represented through Mr. Subromoniam Prasad and Mrs. Anil Katiyar, advocates. The service of Show cause notice is complete in the matter.

It is further submitted that counsel for the appellant and respondents have not filed the statement of case so far.

It is also submitted that proviso 32 (2) of Order XIX of New SCR 2013, "Provided that where as appellant and respondents, who has entered appearance, does not file a statement of case within the time, as provided in sub-rule (1), it shall be presumed that the respondent does not desire to lodge statement of case in the appeal.

**Civil Appeal No. 799/2014**

The matter above-mentioned was listed before the Hon'ble Court on 20<sup>th</sup> January, 2014, when the Hon'ble Court was pleased to pass the following order:

**"Delay condoned.**

**Issue notice.**

**Mr. Subramonium Prasad, advocate waives service for the respondent No. 1.**

**Notice shall be issued only to the unrepresented respondents.**

**Counter-affidavit may be filed by the respondent No. 1 within four weeks.**

**Rejoinder-affidavit, if nay, may be filed by the appellant within four weeks thereafter.**

**Connect with Civil Appeal No. 2563 of 2012."**

It is submitted that there are four respondents in the matter. Respondent No. 1 is represented through Mr. Subromoniam Prasad, advocate. Counsel for the appellant has not filed the spare copies of petition to serve the respondent nos. 2 to 4. Therefore, notice could not be issued to unrepresented respondent nos. 2 to 4 so far.

It is lastly submitted that counsel for the respondent no. 1, advocate has filed the reply statement.

The matter above-mentioned is listed before the Ld. Registrar's Court with this office report.

DATED THIS THE 27TH DAY OF APRIL, 2015.

ASSISTANT REGISTRAR

Copy to : Mr. K.V. Mohan, Advocate  
Mr. Vivek Singh, Advocate  
Ms. Kamini Jaiwal, Advocate  
Mr. Subramonium Prasad, Advocate

ASSISTANT REGISTRAR