

**SECTION-XV**

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

**CIVIL APPEAL NO. 4482 OF 1998**

BIRLA CORPN. LIMITED

...APPELLANT

VERSUS

RAJESHWAR MAHATO & ORS.

...RESPONDENTS

**OFFICE REPORT ON DEFAULT**

It is submitted that the appeal above-mentioned was listed before the Hon'ble Court on 31.10.2000, when their Lordship were pleased to dispose of the same in terms of the Signed Order.

It is further submitted that Mr. Rajeshwar Mahto, Respondent No.1-in-person has on 07.09.2015 filed Contempt Petition for violating the Court's Order dated 04.05.1999 alongwith Annexure P-1 which was lodged by Ld. Registrar on 17.09.2015 under Order XV Rule 5 of SCR 2013. On 07.10.2015, Respondent-In-Person has filed an appeal against the Ld. Registrar's Order dated 17.09.2015 which was defective for the reason that the same is not properly drafted. **Despite this Registry's letter dated 16.10.2015, Respondent-in-Person has not cured the defects so far.**

It is further submitted for information of the Hon'ble Court that earlier Respondent-in-Person has repeatedly filed the Petitions which is as follows:

- (1) Review Petition (C) No. 322/2001 filed by Respondent was dismissed on 18.04.2001.
- (2) Curative Petition No. 176/2009 in Review Petition (C) No. 322/2001 filed by Respondent was dismissed on 04.11.2009.
- (3) Contempt Petition 76//2001 filed by Respondent was dismissed on 12.03.2001
- (4) Contempt Petition No. 67/2002 was dismissed on 15.04.2002.
- (3) Contempt Petition filed by Respondent was lodged vide Ld. Registrar's Order dated 15.12.2001 under Order XVIII Rule 5 of SCR, 1966.
- (5) Appeal against the Ld. Registrar's Order dated 15.12.2011 filed by Respondent was lodged on 08.08.2015 under Order VIII Rule 6(3) & (4) of SCR, 2013.

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It is further submitted that Notice of hearing was issued to the Rajeshwar Mahto, In-Person on 30<sup>th</sup> November, 2016. As per Track Report, Notice has been delivered on 05.12.2016.

It is latly submitted that appeal paper books have been weeded out as per prevailing practice of this Registry and In Person has supplied the fresh appeal paper books.

Hence, the default of the Respondent-in-Person is reported before the Hon'ble Judge-in-Chambers for Orders with this Office Report.

Dated this the 5<sup>th</sup> day of January, 2017.

ASSISTANT REGISTRAR

Copy to: Mr. Rajeshwar Mahto  
C/o Birla Jute Industries Ltd.  
Unit Balley Jute Mill outside  
Staff Quarters No. 7  
P.O. Bally, District Howrah,  
Calcutta, West Bengal

ASSISTANT REGISTRAR