

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO. 30568 OF 2014

M/s. Silver Shadow Export Pvt. Ltd.

.....Petitioner

-Versus-

State of Rajasthan & Ors.

.....Respondents

OFFICE REPORT

The matter above-mentioned was listed before the Hon'ble Court on 1st December, 2014, when the Court was pleased to pass the following order:-

“Issue notice.

The prayer for stay is dismissed.

The petitioner is given four weeks' time to deposit the demanded amount of Rs. 1, 67, 025.”

Accordingly, show cause notice was issued on 20th January, 2015 to all the four respondents by registered A.D. Post. A.D. Cards duly signed has been received back from respondent Nos. 2, 3 and 4. Neither A.D. Card nor unserved cover containing the notice has been received back from respondent No.1.

It is submitted that office report with regard to service position and filing of Vakalatnama/Appearance and Counter Affidavit was listed before the Ld. Registrar Court from time to time and on 8th May, 2015, when the following order was passed:-

“Fresh steps for the service of notice by usual mode to the unserved respondent No. 1 shall be taken by the Ld. Counsel for the petitioner within a period of three weeks. Dasti in addition is permitted to be served through the Ld. Standing counsel representing the State of Rajasthan.

List again on 27.08.2015.”

It is submitted that fresh show cause notice was issued on 10th June, 2015 to unserved respondent No. 1 by registered A.D. Post. Ms. Ruchi Kohli, Advocate has on 29th June, 2015 filed Vakalatnama/Appearance on behalf of all the four respondents.

It is further submitted that office report with regard to filing of Counter Affidavit and filing of proof of depositing the amount of Rs. 1, 67, 025/- was listed before the Ld. Registrar Court on 27th August, 2015 and lastly on 20th November, 2015 when the following order was passed:-

“One week's time as last chance is given to the Ld. Counsel for the petitioner to serve the copy of the pleadings on the respondents and the respondents shall file the counter affidavit within a period of four weeks thereafter.

Ld. Counsel for the petitioner has not complied with the order dated 1.12.2014 of the Hon'ble Court within the period stipulated in the order. Hence, list the matter before the Hon'ble Court for further directions.”

It is submitted that counsel for the petitioner has on 7th December, 2015 filed proof of depositing the amount of Rs. 1, 67, 025/- as per Hon'ble Court's Order dated 1st December, 2014 and the copies of the same are being circulated herewith. He has also filed proof of service after serving the pleadings to the counsel for all the respondents but the counsel for the respondents has not filed Counter Affidavit so far.

The matter is listed before the Hon'ble Court with this office report.

Dated this the 10th day of December, 2015.

ASSISTANT REGISTRAR

Copy to:-

1. Mr. Sanjay Kumar Tyagi, Advocate
23, Lawyer's Chamber.
2. Ms. Ruchi Kohli, Advocate
69, Lawyer's Chamber.

ASSISTANT REGISTRAR