

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

SECTION XVI-A  
LISTED ON : 06-04-2015  
COURT NO. : 1  
ITEM NO. : 45

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS.9883 OF 2015

RAKESH KUMAR CHARGOTRA

... Petitioner

Versus

STATE OF JAMMU AND KASHMIR & ANR.

... Respondents

OFFICE REPORT

*The Special Leave Petition above mention has been filed by Mr. Kamal Mohan Gupta, Advocate against the Judgement and Order dated 23.02.2015 of the High court of Jammu and Kashmit at Jammu in SWP No. 2492 of 2012.*

*It is submitted for the infromation of the Hon'ble Court that the Writ Petition(Civil) No. 373 of 2012 with Writ Petition (Civil) 255 of 2013 arising out of samiliar issue was listed before the Hon'ble Court on 04-12-2014 and the same is pending. Copy of Court's Order dated 04-12-2014 is enclosed herewith for kind perusal of the Hon'ble Court.*

*It is further submitted for the information of the Hon'ble Court that the Writ Petition(Civil) No. 432 of 2012 between the same parties was disposed of by the Hon'ble Court on 15.10.2012. Copy of the same is annexed as Annexure P-1 at Page No. 11 of the Special Leave Petition.*

*The matter is listed before the Hon'ble Court with this Office Report.*

*Dated this the 4<sup>th</sup> day of April, 2015.*

ASSISTANT REGISTRAR

Copy to:- Mr. Kamal Mohan Gupta, Advocate

ASSISTANT REGISTRAR.



Accordingly notice was issued on 02-12-2014 to the counsel for the petitioner for publication of notice in the newspaper in r/o of unserved Respondent Nos. 4,6-8,10,11,14,16 & 18 and file proof of substituted services.

It is lastly submitted that Mr. Rakesh Kr. Sharma, Advocate for the Petitioner has on 09-03-2015 filed affidavit alongwith proof of publication which is barred by time and there is a delay of 79 days in filing the same.

The default on part of counsel for the petitioner is reported to the Hon'ble Judge in chamber with this Office Report.

Dated this the 31<sup>st</sup> day of March, 2014.

ASSISTANT REGISTRAR

Copy to: Mr.Rakesh Kumar Sharma, Advocate  
Mr. Ashok Mathur, Advocate

ASSISTANT REGISTRAR

BY REGISTERED A.D. POST

SECTION XVIA  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS.33509-33510 OF 2012  
WITH PRAYER FOR INTERIM RELIEF

M/S POONAIYAH RAMAJAYAM INSTITUTE OF SCIENCE  
& TECHNOLOGY (PRIST), THANJAVUR, TAMIL NADU ... Petitioner  
Versus  
STATE OF JAMMU AND KASHMIR & OTHERS ... Respondents

To

WHEREAS the Petitions for Special Leave to Appeal with a prayer for Interim Relief above mentioned (copy enclosed) filed in the Registry by Mr.Rakesh Kumar Sharma, Advocate on behalf of the petitioner above named were listed for hearing before this Hon'ble Court on 19<sup>th</sup> November, 2012 when the Court was pleased to pass the following Order:

**"Issue notice returnable within four weeks.  
Dasti service, in addition, is permitted."**

Contd...2/..

-2-

NOW, THEREFORE, TAKE NOTICE that the above petitions will be posted for hearing before this Court on \_\_\_/\_\_\_/201 at 10.30 O'Clock in the forenoon or so soon thereafter as may be

convenient to the Court when you may appear before the Court either in person or through counsel and show cause to the Court as to why the Special Leave and prayer for interim relief as prayed for be not granted and the resultant appeal be not allowed.

You may file your affidavit in opposition to the petitions as provided under Rule 13 (1) of Order XVI, S.C.R. 1966 (as amended) within 30 days from the date of receipt of notice or not later than 2 weeks before the date appointed for hearing, whichever be earlier, but shall do so only by setting out the grounds in opposition to the questions of law or grounds set out in the SLP and may produce such pleadings and documents filed before the Court/ Tribunal against whose order the SLP is filed and shall also set out the grounds for not granting interim order or for vacating interim order if already granted.

TAKE FURTHER NOTICE that if you fail to enter appearance as aforesaid, no further notice shall be given to you even after the grant of special leave for hearing of the resultant Appeal and the matter above mentioned shall be disposed of in your absence.

Dated this the 3<sup>rd</sup> day of December, 2012.

**ASSISTANT REGISTRAR**

*Note:*

"You are hereby informed that the services of Advocates from the Supreme Court Legal Services Committee, and Supreme Court Middle Income Group Legal Aid Committee, as per eligibility criteria, are available to litigants and in case you desire to avail of the services of an Advocate from either of the two Committees, you may contact the Secretary, Supreme Court Legal Services Committee, 109, Lawyers' Chambers, Supreme Court Compound, Tilak Marg, New Delhi-110 001 if your income is Rs.1,25,000/- per annum or the Member Secretary, Supreme Court Middle Income Group Legal Aid Committee, 109, Lawyers' Chambers, Supreme Court Compound Tilak Marg, New Delhi - 110 001, if gross income is not exceeding Rs. 7,50,000/- per annum.

Copy to: Mr.Rakesh Kumar Sharma, Advocate

**ASSISTANT REGISTRAR**

**SUPREME COURT  
OF INDIA**

**NEW DELHI**

D.No.9648/2012/SC/XVIA

Dated: November 22, 2012

From:

Assistant Registrar,  
Supreme Court of India,  
New Delhi.

To

Mr. Rakesh Kumar Sharma  
Advocate

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS.33509-33510 OF 2012  
WITH PRAYER FOR INTERIM RELIEF

M/S POONAIYAH RAMAJAYAM INSTITUTE OF SCIENCE  
& TECHNOLOGY (PRIST), THANJAVUR, TAMIL NADU ... Petitioner

Versus

STATE OF JAMMU AND KASHMIR & OTHERS ... Respondents

Sir,

I am directed to enclose herewith show cause notice (in duplicate) returnable in four weeks i.e on ...../...../201 for effecting Dasti service on the Respondent Nos.1 to 18 by delivering/tendering personally to the addressee by/on behalf of the party taking Dasti service and to request you to file requisite Affidavit of Dasti service indicating the date of dasti service at the earliest.

Yours faithfully,

**ASSISTANT REGISTRAR**

Encl.: As above

SECTION XVI-A

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

LISTED ON : 19.11.2012

COURT NO.: 9

ITEM NO. : 41

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS.33509-33510 OF 2012  
WITH PRAYER FOR INTERIM RELIEF

WITH

INTERLOCUTORY APPLICATION NO.1 OF 2012  
(Application for exemption from filing certified copy)

M/S POONAIYAH RAMAJAYAM INSTITUTE OF SCIENCE  
& TECHNOLOGY (PRIST), THANJAVUR, TAMIL NADU ... Petitioner

Versus

STATE OF JAMMU AND KASHMIR & OTHERS ... Respondents

OFFICE REPORT

The Special Leave Petitions above mentioned have been filed by Mr. Rakesh K. Sharma, Advocate against the Judgment and Order dated 24<sup>th</sup> September, 2012 passed by the Division Bench of the High Court of Jammu and Kashmir at Srinagar in LPA No.134 and 139 of 2012.

It is submitted that Respondent No.5 is represented through the Minister of Human Resource and Development in these matters.

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

Dated this the 9<sup>th</sup> day of November, 2012.

**ASSISTANT REGISTRAR**

Copy to: Mr.Rakesh K. Sharma, Advocate

**ASSISTANT REGISTRAR**

as

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

LISTED ON : 05-03-2014  
COURT NO. : 2  
ITEM NO. : 25

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS.33509-33510 OF 2012

WITH PRAYER FOR INTERIM RELIEF

WITH

INTERLOCUTORY APPLICATION NO.1 OF 2012

(Application for exemption from filing certified copy)

M/S POONAIYAH RAMAJAYAM INSTITUTE OF SCIENCE  
& TECHNOLOGY (PRIST), THANJAVUR, TAMIL NADU ... Petitioner

Versus

STATE OF JAMMU AND KASHMIR & OTHERS ... Respondents

OFFICE REPORT

The matter above mentioned was listed before the Id. Registrar's Court on 10-5-2013, when he was pleased to pass the following Order:-

"Respondent Nos.1-3 have not filed counter affidavit in spite of last chance granted. Ld. counsel for the petitioner has filed an application for substituted service. Office is directed to process it in accordance with the rules.

List the matter on 13.08.2013."

It is submitted that Counsel for the Respondent Nos. 1 to 3 has on 16-5-2013 filed Counter Affidavit after serving its copy on the other side.

It is further submitted that AD. Card duly signed has been received in respect of Respondent No. 5 but neither A.D. Card nor unserved cover containing notice has been received in respect of Respondent No. 4.

It is also submitted that application for substituted service was placed before the Ld. Registrar J-II on 10-7-2013 and was allowed. Accordingly notice was issued on 7-8-2013 to the Counsel for the Petitioner for publication of notice in the newspaper in respect of unserved Respondent Nos. 6 to 8, 10, 11, 14, 16 and 18 and file proof of substituted service.

It is lastly submitted that Mr. Rakesh Kr. Sharma, Advocate for the Petitioner has on 25-11-2013 filed affidavit alongwith proof of publication but the same is defective for the reason but that Affidavit signed by the Registered clerk of the Counsel instead of the party or Counsel and the filed the proof of incomplete notice published in the news paper. The Counsel for the Petitioner has not cured the defects despite this Registry's letter dated 2-12-2013.

Service of notice is not complete on Respondent Nos. 4, 6 to 8, 10, 11, 14, 16 and 18.

The matter above-mentioned is listed before the Hon'ble Court with this Office Report.

Dated this the 4th day of March, 2014.

ASSISTANT REGISTRAR

Copy to: Mr. Rakesh Kumar Sharma, Advocate

Mr. Ashok Mathur, Advocate

ASSISTANT REGISTRAR

BY REGISTERED A.D. POST

SECTION XVIA  
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**ASSISTANT REGISTRAR**

*Note:*

"You are hereby informed that the services of Advocates from the Supreme Court Legal Services Committee, and Supreme Court Middle Income Group Legal Aid Committee, as per eligibility criteria, are available to litigants and in case you desire to avail of the services of an Advocate from either of the two Committees, you may contact the Secretary, Supreme Court Legal Services Committee, 109, Lawyers' Chambers, Supreme Court Compound, Tilak Marg, New Delhi-110 001 if your income is Rs.1,25,000/- per annum or the Member Secretary, Supreme Court Middle Income Group Legal Aid Committee, 109, Lawyers' Chambers, Supreme Court Compound Tilak Marg, New Delhi - 110 001, if gross income is not exceeding Rs. 7,50,000/- per annum.

Copy to: Mr.Rakesh Kumar Sharma, Advocate

**ASSISTANT REGISTRAR**

**SUPREME COURT  
OF INDIA**

**NEW DELHI**

D.No.9648/2012/SC/XVIA

Dated: November 22, 2012

From:

Assistant Registrar,  
Supreme Court of India,  
New Delhi.

To

Mr. Rakesh Kumar Sharma  
Advocate

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS.33509-33510 OF 2012  
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**ASSISTANT REGISTRAR**

Encl.: As above

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It is submitted that Respondent No.5 is represented through the Minister of Human Resource and Development in these matters.

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

Dated this the 9<sup>th</sup> day of November, 2012.

**ASSISTANT REGISTRAR**

Copy to: Mr.Rakesh K. Sharma, Advocate

**ASSISTANT REGISTRAR**

as