

LISTED ON: 14.09.2015

BEFORE COURT NO:

ITEM NO:

**SECTION : XIV**  
**IN THE SUPREME COURT OF INDIA**  
**CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NOS. 9367-69/2011, 79-82, 83-84, 192-196/2012,  
SLP(C) No. 20638/2015, C.A. Nos. 5164 & 3151/2012

SECR., MINISTRY OF DEFENCE ETC.

... APPELLANTS

VERSUS

BABITA PUNIYA & ANR.& ETC.

...RESPONDENTS

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**OFFICE REPORT**

**Service position of each matter is as under:-**

**C.A. No. 9367/2011:-**

The matter above mentioned was listed before the Hon'ble Court on 01.09.2015 when the Court was pleased to pass the following Order:-

**"Taken on Board.**

**Issue notice.**

**List along with the main case.**

**To come up for further consideration on  
14.09.2015.**

**Applicant is granted liberty to file counter  
affidavit in the main case by 11.09.2015."**

It is submitted that there are 28 respondents in this appeal. Respondent No. 1 is represented by Mrs. Rekha Palli, Advocate, who has been since designated as a Senior Advocate. Accordingly, notice for Alternative arrangement was issued to respondent No. 1 by special messenger but no one has entered appearance on his behalf so far. Certificate of service has been received from the High Court in respect of respondent No. 2 but no one has entered appearance so far. Respondent Nos. 3 to 27 are represented by Mr. Harish Pandey, Advocate. Respondent No. 28 has been deleted vide Court's Order dated 16.07.2015. Service of notice of lodgment of petition of appeal is complete.

**C.A. No. 9368/2011:-**

It is submitted that there are 30 respondents in this appeal. Respondent Nos. 1, 2, 3, 5 to 30 are represented by

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Mr. Harish Pandey, Advocate. Certificate of service has been received from the High Court in respect of respondent No. 4 but no one has entered appearance so far. Service of notice of lodgment of petition of appeal is complete.

**C.A. No. 9369/2011:-**

It is submitted that there are 46 respondents in this appeal. Respondent Nos. 1 to 16, 18, 20 to 46 are represented by Mr. Harish Pandey, Advocate. Certificate of service has been received from the High Court in respect of respondent Nos. 17 & 19 but no one has entered appearance so far. Service of notice of lodgment of petition of appeal is complete.

**C.A. Nos. 79-82/2012:-**

It is submitted that there are 11 respondents in these appeals. Respondent Nos. 1 to 4 are represented by Mr. B. V. Balaram Das, Advocate. Service is complete on respondent Nos. 1 to 6, 8 and 11. Certificate of service is awaited from the High Court in respect of respondent Nos. 9 and 10. According to certificate of service received from the High Court, Service is not complete on respondent No. 7 as the address is not correct and hence the matter as listed before the Court of Ld. Registrar on 28.08.2015, when the Court was pleased to pass the following Order:-

**"Ld.counsel for the petitioner shall within a period of four weeks file the fresh particulars of the respondent No.7 and he shall also take fresh steps for the service of NLPA to him within the same period.**

**Ld.counsel for the petitioner has stated that he will file an application for deletion of the respondent Nos.5-11 from the array of parties. In case, any such application is filed by the Ld.counsel, in that event, the same shall be processed for listing before the Hon'ble Judge in Chambers for further future directions, in default whereof, the matter shall be listed before this Court on 23.11.2015."**

It is further submitted that counsel for the appellants has neither filed the fresh address of respondent No. 7 nor filed application for deletion of respondent Nos. 5 to 11 so far.

Service is not complete on respondent Nos. 7, 9 & 10 so far.

Counsel for the appearing parties have not filed statement of case so far.

It is further submitted that the applications for directions (I.A. Nos. 17-20) in the appeals above mentioned were listed before the Hon'ble Court on 07.09.2015 when the Court was pleased to pass the following Order:-

**"One week's time is granted to the respondent-Union of India to file reply to the IA."**

It is lastly submitted that Mr. B. V. Balaram Das, Advocate has on 11.09.2015 filed counter affidavit alongwith Annexures R-1 to R-6 in application for directions (I.A. Nos. 17-20) and the same are being circulated herewith.

**C.A. Nos. 83-84/2012:-**

It is submitted that there are 13 respondents in these appeals. Respondent Nos 1 to 4 are represented by Mr. B. V. Balaram Das, Advocate. Name of performa respondent Nos. 5 to 13 have been deleted vide Hon'ble Chamber Judge Order dated 05.01.2015 passed in I.A. Nos. 8-9.

It is further submitted that counsel for the appellant has filed statement of case but counsel for the appearing respondents has not filed statement of case so far.

**C.A. No. 192-196/2012:-**

It is submitted that there are 4 respondents (common) in these appeals and all are represented by Mr. B. V. Balaram Das, Advocate.

It is further submitted that the name of respondent Nos. (5 & 6), (5 & 6), (5 to 8) and (5 to 12) in Civil Appeal Nos. 192, 193, 195 & 196 of 2012 have been deleted vide this Court's Order dated 04.02.2013 passed in I.A. Nos. 11-15.

It is further submitted that Mr. Anupam Raina, Advocate has on 23.04.2015 filed application for impleadment to implead the applicant (Sqn. Ldr. Paramjeet Ghotra (Retd.)) as party appellant in C.A. No. 193/2012 whose name have already been deleted vide Court's Order dated 04.02.2013

passed in I.A. Nos. 11-15 (regd. as I.A. No. 26) and the same was listed before the Hon'ble Judge in Chambers on 03.08.2015, when His Lordship was pleased to pass the following order:-

**"Issue notice on I.A. No. 26 of 2015."**

It is further submitted that notice in I.A. No. 26 was issued to all the parties on 27.08.2015 by regd. A.D. Neither A.D. card nor unserved envelopes have been received back so far.

It is further submitted that notice for alternative arrangement was issued to the appellants as Mrs. Rekha Palli, erstwhile Advocate for the appellants has been designated as Senior Advocate. A.D. cards duly signed have been received back in respect of appellant Nos. 3, 6, 10 & 12 in C.A. No. 192/2012, appellant No. 2 in C.A. No. 193/2012 and appellant No. 1 in C.A. No. 194/2012 but no one has entered appearance so far. Ms. Aishwarya Bhati, Advocate has filed vakalatnama/appearance on behalf of appellant Nos. 7 to 9 in C.A. No. 192/2012, 5 to 7 in C.A. No. 193/2012, 2 to 5 in C.A. No. 194/2012, 1 to 3 in C.A. No. 195/2012 and 1 to 4 in C.A. No. 196/2012. Mr. Deepak Goel, Advocate has filed vakalatnama/appearance on behalf of appllant Nos. 12, 4 & 5 in C.A. Nos. 192/2012 and appellant Nos. 1, 3 & 4 in C.A. No. 193/2012. Service of notice of alternative arrangement is not complete on rest of the appellants.

It is further submitted that Mr. Anupam Raina, Advocate has on 10.09.2015 filed application for impeladment to implead the applicant Sqn. Ldr. Rekha Shekhawat (Retd.) as party appellant, whose name has already been deleted vide Court's Order dated 04.02.2013 passed in I.A. Nos. 11-15 (regd. as I.A. No. 27) and the same is being circulated herewith.

**SLP(C) No. 20638/2015:-**

The matter above mentioned was listed before the Hon'ble Court on 20.07.2015 when the Court was pleased to pass the following Order:-

**"Delay condoned.  
Issue notice.  
Tag with Civil Appeal Nos. 9367-9369 of 2011."**

It is submitted that pursuant to aforesaid order, show cause notice to all the 7 respondents was issued on 03.08.2015 by regd. A.D. Unserved cover has been received from respondent No. 7 with postal remarks "No such person resides on this address". Neither A.D. card nor unserved cover has been received from respondent Nos. 1 to 6 so far.

Service is not complete.

**C.A. No. 5164/2012:-**

It is submitted that there are 13 respondents in this appeal. Service of notice of lodgment of petition of appeal is complete on respondent Nos, 1 to 4, 7, 9, 12 & 13. Respondent Nos. 2 to 4 are represented by Mr. B. V. Balaram Das, Advocate. No one has entered appearance on behalf of respondent Nos. 1, 7, 9, 12 and 13 so far though served with notice.

It is further submitted that names of respondent Nos. 5, 6, 8, 10 and 11 were deleted vide this Court's Order dated 12.05.2015.

Service is complete.

It is further submitted that notice for alternative arrangement was issued to the appellant on 14.07.2015 at both the addresses available with the Registry as Mrs. Rekha Palli, erstwhile Advocate for the appellant has been designated as Senior Advocate.

It is further submitted that unserved envelope has been received back from one of the two addresses available with the Registry with postal remark "No such person at this address". However, neither A.D. card nor unserved envelope has been received from the second address available with the Registry.

For non-completion of service of notice of alternative arrangement on the appellant the appeal above-mentioned was listed before the Court of Ld. Registrar on 14.08.2015, when the Court was pleased to pass the following order:-

**"Await the return of the service of notice of alternative arrangement already issued to the appellant.**

**List again on 2.11.2015."**

It is lastly submitted that neither A.D. card nor unserved envelope has been received back from the second address of the appellant available with the Registry so far.

Service of notice of alternative arrangement is not complete on the appellant.

**C.A. No. 3151/2012:-**

It is submitted that there are 13 respondents in this appeal. Respondent No. 7 is represented by Mr. Sridhar Potaraju, Advocate. Certificate of service has been received from the High Court. Service is complete in respect of respondent Nos. 1 to 4, 8, 12 and 13 but no one has entered appearance on their behalf so far. Service is not complete in respect of respondent Nos. 5, 6, 9, 10 and 11 as they have shifted from that place.

It is further submitted that for non-completion of service on respondent Nos. 5, 6, 9, 10 & 11 the appeal above-mentioned was listed before the Court of Id. Registrar on 15.05.2015 and again on 21.08.2015 when the Court was pleased to pass the following order:-

**"The Id. Counsel, Mr Mukesh Kumar Singh appearing on behalf of Mr B.V.Balram Das, Advocate-on-record has appeared for respondent nos. 1 to 4. It is mentioned that vakalatnama has already been filed on behalf of these respondents. Time is requested for pleadings. Id. Counsel for the appellant to provide the same within one weeks time and file proof thereof. Counter affidavit be filed within four weeks thereafter.**

**With respect to respondent nos. 5,6,9,10 and 11, notices have not been issued. Appellant though has provided the spare copies but the fresh address of these respondents is also to be provided by the appellant. Appellant to provide the same within three weeks time. Notices thereafter be issued.**

**List again on 30.10.2015."**

It is further submitted that despite the aforesaid order, counsel for the appellant has not furnished the latest

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address of respondent No. 5, 6, 9, 10 & 11 so far though filed spare copies of the petition.

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

DATED THIS, THE 12<sup>th</sup> DAY OF SEPTEMBER, 2015.

**ASSISTANT REGISTRAR.**

Copy to:  
Mr. Shekhar Kumar, Adv. Ch. No.  
Mr. Kamlendra Mishra, Adv.

**ASSISTANT REGISTRAR.**

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