

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 7957-7958 OF 2009

BEFORE THE REGISTRAR M.K. HANJURA

NATIONAL INSURANCE CO. LTD.

Appellant (s)

VERSUS

VIJAYASARATHI TOBACCO & ORS.

Respondent(s)

WITH Civil Appeal NO. 7959 of 2009

(With office report)

Civil Appeal NO. 7960 of 2009

(With office report)

Civil Appeal NO. 7961-7962 of 2009

(With office report)

Date: 08/01/2014 These Appeals were called on for hearing today.

For Appellant(s)

Mr. Avijit Bhattacharjee, Adv.

For Respondent(s)

Mr. P. Narasimhan, Adv.

Mr. K. Shivraj Choudhuri, Adv.

UPON hearing counsel the Court made the following

O R D E R

None appears.

What gets revealed from the perusal of the office report is that service is complete as against the respondents in all the matters.

The original record from the High Court and the lower court have been received.

The office report reveals that the learned counsel for the appellants in all the appeals has filed the statement

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of case and the learned counsel for the respondents in CA No.7959 and 7961-7962/2009 have also filed the statement of case but the learned counsel for the respondents in CA Nos.7957-7958 and 7960/2009 have not chosen to do so.

Although by order dated 5.2.2013 of this court the respondents were directed to file the statement of case within a period of four weeks finally yet the respondents in the above civil appeals have not done the needful so far. Order XV Rule 39 of the Supreme Court Rules, 1966 lays down that where a respondent fails to lodge the statement of case within the time prescribed the appeal shall, subject to the provision contained in proviso to sub rule (2) of Rule 35 be set down as ex parte. Therefore, the matter be processed for listing before the Hon'ble Court on its own turn.

(M.K. HANJURA)
REGISTRAR