

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

BEFORE THE REGISTRAR S.G. SHAH

Petition(s) for Special Leave to Appeal (Civil)...../2005
CC 10499/2005(From the judgement and order dated 05/11/2004 in WA No. 4878/2001
of The HIGH COURT OF KARNATAKA AT BANGALORE)

J. VEERABHADRAPPA & ORS.

Petitioner(s)

VERSUS

THE KARNATAKA POWER CORPN. LTD.& ORS.

Respondent(s)

(With appln(s) for c/delay in refiling SLP,permission and office
report))

Date: 10/10/2006 This Petition was called on for hearing today.

For Petitioner(s) Mr. P.V. Nair,Adv.
Mr. Rameshwar Prasad Goyal,Adv.For Respondent(s) Mr. Pratap Vsenugopal,Adv.
Mr. Harshad V. Hameed,Adv.
For M/S. K.J. John & Co.,Adv.UPON hearing counsel the Court made the following
O R D E R

It is unfortunate that though the Hon'ble Court has on 10.4.2006 passed an Order directing the office to place on record the copy of the judgment in SLP(C) Nos. 9214-9217/1992 with SLP(C) Nos. 9985-86 /1992 [Karnataka Power Corporation Ltd. v. K.S. Ramesh & Ors.] in the paper books of this case, office has failed to place such copies of orders in the paper

books even after six months.

Learned counsel Mr. Harshad V. Hameed appearing on behalf of respondent Nos. 1 and 2 states that they have

received the copy of SLP on today only. Whereas,

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learned counsel Mr. P.V. Nair appearing on behalf of the petitioner states that because of his personal difficulty due to some sickness, they could not confirm the date of order in SLP(C) Nos. 9214-9217/1992 with SLP(C) Nos. 9985-86 /1992 [Karnataka Power Corporation Ltd. v. K.S. Ramesh & Ors.] and he could not submit the copy of the Order/Judgment as directed by the Hon'ble Court on 10.4.2006.

It is found on record that respondent has preferred a Caveat Application on 19.6.2006, but service of such Caveat Application as required under sub-Section 2 of Section 148-A of the Code of Civil Procedure is not effected and it is stated that in Supreme Court there is a practice that such notices are not required to be served to the expected petitioner. An attempt was made to show that Supreme Court Rules does not provide for such service to the expected petitioner and if it is not so, this office should not accept such Caveats at initial stage.

Whatever, the practice may be, office is directed to clarify that how Caveats are being accepted without following provisions of Section 148-A of the Code of Civil Procedure. Office is also directed to find out the order and judgment in SLP(C) Nos. 9214-9217/1992 with SLP(C) Nos. 9985-86 /1992 [Karnataka Power Corporation Ltd. v. K.S. Ramesh & Ors.] as directed by

the Hon'ble Court in its Order dated 10.4.2006 and to report to this Court before 31.10.2006.

However, since the petitioner in such disposed of cases is respondent in the present case, learned counsel for the respondent herein is also requested to verify the details of the case under reference and to help the Registry for placing the copies of the judgment in the paper books of this matter as directed by the Hon'ble Court.

List the matter on 7.11.2006.

(S.G.SHAH)

Registrar