

LISTED ON.: 25.08.2015
COURT NO.: 01
ITEM NO.: 10

SECTION XII-A
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NOS. 13163-13168 of 2010
12877-12898, 18712-18728, 29842-29846, 34644-34646 of 2014, 3944 and 13415
of 2015

AND

INTERLOCUTORY APPLICATION NO. 20 IN SLP (C) NO. 13163 OF 2010
(Application for impleadment filed by Mr. V. K. Siddharthan, Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 1-22
(Application for exemption from filing certified copy in SLP (C) No.
12877-12898/2014)

AND

INTERLOCUTORY APPLICATION NO. 17 IN SLP (C) NO. 29842 OF 2014
(Application for impleadment filed by Mr. V. K. Siddharthan, Advocate)

AND

INTERLOCUTORY APPLICATION NO. 3 in SLP (C) No. 13415 of 2015
(Application for deletion of proforma Respondent Nos. 4 to 78)

WITH

PRAYER FOR INTERIM RELIEF

STATE OF A.P. & ANR. ETC.

...PETITIONERS

- VERSUS -

M. LOOKAS BABU & ORS ETC.

...RESPONDENTS

OFFICE REPORT

The matters above mentioned (SLP (C) No. 13163-13168 of 2010) were listed before the Honorable Court on 26th April, 2010, when the Honorable Court was pleased to pass the following Order:-

“Delay condoned.
Issue notice.
Mr. C.S.N. Mohan Rao, Adv. accepts notice on behalf
of Mr. M. Narayana.
There shall be stay of impugned order.”

Subsequently, the matters were again listed before the Hon'ble Court on 18th January, 2013 when the Hon'ble Court was pleased to pass the following Order:

“I.As.for deletion of proforma respondents is allowed.

Accordingly, the proforma respondents are deleted from the array of parties at the risk of the petitioners.

Once again counsel for petitioners is directed to take effective steps for effecting service on the unserved respondents.

Issue fresh notice to unserved respondents returnable in four weeks.

Dasti in, addition is, permitted.”

Again, the matters were listed before the Hon'ble Court on 31st March, 2015 when the Hon'ble Court was pleased to pass the following Order:-

“List the matters after four weeks. Meanwhile, pleadings be completed.”

It is submitted to the Hon'ble Court that Mr. V. K. Siddharthan, Advocate filed an application for impleadment on behalf of proposed Respondents in SLP (C) No. 13163 of 2010 and the same is placed below for kind perusal of Hon'ble Court.

SLP (C) NO.13163 OF 2010

It is submitted that there are 60 Respondents in the matter above-mentioned. Mr. C.S.N. Mohan Rao, Advocate has entered appearance on behalf of Respondent No. 4 and Ms. T. Anamika, Advocate has entered appearance on behalf of respondent nos. 1, 3, 6, 7, 8, 12 and 22 to 24, counter affidavit has been filed. Mr. Davaish Mishra, Advocate has filed vakalatnama/Appearance on behalf of Respondent No. 21 but no counter affidavit has been filed so far. Names of Respondent Nos. 2 to 6 has been deleted vide Hon'ble Court order dated 18th January, 2013. Signed A.D. card has been received from respondent nos. 2, 10, 13, 14-17, 25 to 34. Affidavit of service in respect of Respondent Nos. 5, 9, 11, 15, 18-20 and 35 has been filed names of Respondent Nos. 36 to 60 have been deleted vide Hon'ble Court order dated 18th January, 2013.

Service is complete.

SLP (C) NO.13164 OF 2010

There is 26 Respondents in the matter above-mentioned. A.D. Cards duly signed have been received back from Respondent No.1, but no one has entered

appearance on his behalf. Names of Respondent Nos. 2 to 6 have been deleted vide Hon'ble Court order dated 18th January, 2013.

Service is complete.

SLP (C) NO.13165 OF 2010

There are 29 Respondents in the matter above-mentioned. Respondent Nos.1 to 4 are contesting respondents. Ms. T. Anamika, Advocate has filed vakalatnama on behalf of Respondent No.4. Counter Affidavit has been filed. A.D. Cards duly signed have been received back from Respondent Nos.1 to 3, but no one has entered appearance on their behalf. Names of Respondent Nos. 5 to 29 have been deleted vide Hon'ble Court order dated 18th January, 2013.

Service is complete.

SLP (C) NO. 13166 OF 2010

There are 93 Respondents in the matter above-mentioned. Respondent Nos.1 to 68 are contesting Respondents. Ms. T. Anamika, Advocate has filed counter affidavit on behalf of Respondent Nos.1, 2, 3, 4, 8, 10 and 12. A.D. Cards duly signed have been received back from Respondent Nos.6, 15, 17, 18, 20, 22, 23, 25, 26, 27, 28, 29, 32, 33, 35, 36, 37, 38, 39, 40, 41-45, 49-51, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 66, 67, 68 but no one has entered appearance on their behalf. Affidavit of service in respect of Respondent Nos. 5, 7, 9, 11, 13, 14, 16, 19, 21, 24, 30-31, 34, 46, 48, 52 and 65 has been filed but no one has entered appearance on their behalf so far. Names of Respondent Nos. 69 to 93 have been deleted vide Hon'ble Court order dated 18th January, 2013.

Service is complete.

SLP (C) NO.13167 OF 2010

There are 107 Respondents in the matter above-mentioned. Respondent Nos.1 to 105 are contesting Respondents. Mr. C.S.N. Mohan Rao, Advocate has entered appearance on behalf of Respondent No.50. Ms. T. Anamika, Advocate has filed counter affidavit on behalf of Respondent Nos.16, 20, 32, 33, 34, 37, 38, 39, 40, 41 to 46. Ms. Nidhi, Advocate has filed Vakalatnama/Appearance on behalf of Respondent No. 48 but no counter

affidavit has been filed so far. A.D. Cards duly signed have been received back from Respondent Nos.1, 4 to 6, 8, 9, 12 to 15, 18, 19, 21 to 23, 25 to 28, 30, 31, 35, 36, 67, 70 to 73, 75, 76, 77, 79 to 82, 85, 86, 88, 89, 90, 93 to 97, 101, 102, 103, 105 but no one has entered appearance on their behalf. Name of respondent no. 98 has been deleted from the array of parties. Affidavit of service in respect of Respondent Nos. 2, 3, 7, 10, 11, 17, 24, 32, 34, 47, 49, 51 to 66, 68-69, 74, 78, 83, 84, 87, 90, 92 and 99 has been filed but no one has entered appearance on their behalf so far. Names of Respondent Nos. 106 and 107 have been deleted vide Hon'ble Court order dated 18th January, 2013.

Service is complete.

SLP (C) NO.13168 OF 2010

There are 3 Respondents in the matter above-mentioned. Mr. C.S.N. Mohan Rao, Advocate has entered appearance on behalf of Respondent No.3. A.D. Cards duly signed have been received back from Respondent Nos.1 and 2 but none has entered appearance on their behalf.

Service is complete.

SLP (C) Nos. 12877-12898 of 2014:

The matters above mentioned were listed before the Hon'ble Court on 9th May, 2014, when the Hon'ble Court was pleased to pass the following Order:-

“Taken on board.
Post along with S.L. P. (C) Nos. 13163-13168/2010.”

SLP (C) Nos. 18712-18728 of 2014:

The matters above mentioned were listed before the Hon'ble Court on 1st August, 2014, when the Hon'ble Court was pleased to pass the following Order:-

“Taken on board.
Post along with S.L. P. (C) Nos. 13163-13168/2010.”

Subsequently, the matters above-mentioned were listed before the Registrar's Court on 11th March, 2015, when he was pleased to pass the following Order:-

“Fresh steps for the service of notice by usual mode to the unserved respondents shall be taken by the Ld.counsel for the petitioners within a period of three weeks. Dasti in addition is permitted to be served on the

respondent Nos.1-4 through the Ld.Standing counsel representing the State of A.P. and on the other respondents through the Trial Court, the particulars of which shall be furnished by the Ld.counsel for the petitioners within the period stipulated above.

List again on 14.05.2015.”

Lastly, the matter (SLP (C) Nos. 18712-18728, 29842-29846, 34644-34646 of 2014 & 3944 of 2015) was listed before the Registrar's Court on 20th August, 2015, when he was pleased to pass the following Order:-

“Four weeks time, as last chance is given to the learned counsel for the petitioners to comply with the terms of the order dated 11.3.2015 of this Court.

In all the other matters the served respondents shall be at liberty to file the counter affidavit within a period of four weeks. Fresh steps for the service of notice by usual mode to the unserved respondents shall be taken by the learned counsel for the petitioners within a period of four weeks. Dasti in addition is permitted to be served.

List again on 6.11.2015.”

It is submitted to the Hon'ble Court that counsel has filed only 4 spare copies and also he has not given details of Trial Court. Hence, show cause notice could not be issued.

Service position of matters in tabular form is as follow:

SLP(C) No.	Respondents	Remarks	Service position
18712	15	Mr. C.S.N. Mohan Rao, Advocate has filed Vakalatnama for Respodnent No. 5 to 15, but no counter affidavit has been filed. Respondent No. 1 to 4 are common in all matters.	Neither A.D. card nor unserved cover containing the notice has been received back from R. Nos. 1 to 4. Service is incomplete in respect of Respodnent Nos.1 to 4.
18713	4	Neither AD card nor unserved cover received from all the respondents.	Service is incomplete
18714	4	_____do_____	Service is incomplete
18715	14	_____do_____	Service is incomplete.
18716	4	_____do_____	Service is incomplete

18717	4	_____do_____	Service is incomplete
18718	4	_____do_____	Service is incomplete
18719	4	_____do_____	Service is incomplete
18720	4	_____do_____	Service is incomplete
18721	4	_____do_____	Service is incomplete
18722	4	_____do_____	Service is incomplete
18723	4	_____do_____	Service is incomplete
18724	4	_____do_____	Service is incomplete
18725	4	Neither AD card nor unserved cover received from all the respondents.	Service is incomplete
18726	4	_____do_____	Service is incomplete
18727	4	_____do_____	Service is incomplete
18728	4	_____do_____	Service is incomplete

SLP (C) Nos. 29842-29846 of 2014

The matters above-mentioned were listed before the Hon'ble Court on 17th November, 2014, when the Hon'ble Court was pleased to pass the following Order:-

“I.A. Nos. 6 to 8 and I.A. Nos. 14 to 16 in SLP(C) Nos. 29842, 29844 & 29846 and I.A. Nos. 9-13 are allowed.

Amended memo of parties shall be filed within three weeks.

Notice.

Tag with SLP(C) Nos. 13163-13168 of 2010.”

Service position of matters in tabular form is as follow:

SLP(C) No.	Respondents	Remarks	Service position
29842	4	Respondent No. 1 to 4 in SLP 29842 are common in 29844, 29845, 29846 and Respondent No.1, 2 and 4 in SLP 29842 are common in 29843.	Mr. Guntur Prabhakar – R 1 to 3. Neither A.D. card nor unserved cover containing the notice has been received back from R. No.4. Service is incomplete in respect of R 4.

29843	5	Mr. Guntur Prabhakar, Advocate has filed vakalatnama/appearance but has not filed counter affidavit so far.	Mr. Guntur Prabhakar – R 1 and 2. Neither A.D. card nor unserved cover containing the notice has been received back from R. Nos. 3 to 5. Service incomplete in respect of R 3,4 and 5.
29844	4		Mr. Guntur Prabhakar – R 1 to 3. Neither A.D. card nor unserved cover containing the notice has been received back from R. No. 4 Service incomplete in respect of R 4.
29845	6		Mr. Guntur Prabhakar – R 1 to 5. Neither A.D. card nor unserved cover containing the notice has been received back from R. No. 6 Service incomplete in respect of R 6.
29846	4		Mr. Guntur Prabhakar – R 1 to 3. Neither A.D. card nor unserved cover containing the notice has been received back from R. No. 4 Service incomplete in respect of R 4.

It is submitted to the Hon'ble Court that V. K. Siddharthan, Advocate has on 5th August, 2015 filed an application for impleadment in SLP (C) No. 29842 of 2014 on behalf of proposed impleaded parties. The same has been registered as IA No. 17 and is placed below for kind perusal of Hon'ble Court.

SLP (C) Nos. 34644-34646 of 2014

The matters above-mentioned were listed before the Hon'ble Court on 18th December, 2014, when the Hon'ble Court was pleased to pass the following Order:-

“Notice.
Tag with S.L.P.(C)Nos.13163-13168 of 2010.”

Service position of matters in tabular form is as follow:

SLP(C) No.	Respondents	Remarks	Service position
34644	4	Respondent No. 1 to 3 common in all matters.	A.D. card-R. nos.1 and 3. Unserved from R. no. 4 with remarks “Deceased away”. Neither A.D. card nor unserved cover containing the notice has been received back from R. No. 2. Service is incomplete in respect of R. no.2 and 4.
34645	3		Neither A.D. card nor unserved cover containing the notice has been received back from R. No. 2. Service is incomplete in respect of R. no.2.
34646	3		Neither A.D. card nor unserved cover containing the notice has been received back from R. No. 2. Service is incomplete in respect of R. no. 2.

SLP (C) No. 3944 of 2015

The matter above mentioned was/were listed before the Hon'ble Court on 30th January 2015 when the Court was pleased to pass the following Order :-

“Application for permission to delete proforma respondent nos.4 to 124 from the array of parties of the respondents is allowed.
Application for impleadment is allowed.
Petitioner is directed to amend the cause title accordingly within two weeks.
Delay condoned.
Notice.
Tag with S.L.P.(C)Nos.13163-13168/2010.”

Accordingly, notice was issued on 14th June, 2015 to the Respondent Nos. 1 to 3 and 128. There were 128 Respondents in the matters. Mr. Guntur Prabhakar, Advocate has entered appearance on behalf of Respondent Nos. 1 to 3. Name of Respondent Nos. 4 to 127 are deleted vide this Hon'ble Court order dated 30th January, 2015 passed in IA Nos. 30th January 2015 and name of Respondent No. 128 is impleaded vide this Hon'ble Court with Order dated 30th January, 2015. Service is Complete on Respondent No.128 through AD card but no one has entered appearance on his behalf.

Service is complete.

SLP (C) No. 13415 of 2015

The matter above mentioned was listed before Hon'ble Court on 27th April, 2015 when the Hon'ble Court was pleased to pass the following order:-

“Delay Condoned.

Notice.

Tag with S.L.P. (C). Nos. 29842-29846/2014.”

It is submitted to the Hon'ble Court that there are 78 Respondents in the matter above-mentioned. Counsel for the Petitioner has filed three copies of SLP thus show cause notice could not be issued so far. However Mr. C.S. N. Mohan Rao, Advocate has on 30th July 2015, filed application for deletion the names of Respondent Nos. 4 to 78 in the matter. The said application is registered as I.A. No. 3 and placed before this Hon'ble Court's kind perusal.

The aforesaid matters alongwith applications are listed before the Hon'ble Court with this office report.

Dated this, the 24th day of August, 2015.

ASSISTANT REGISTRAR

Copy to:

1. Mr. Guntur Prabhakar, Advocate.
2. Mr. C.S.N. Mohan Rao, Advocate.
3. Ms. T. Anamika, Advocate.
4. Mr. V. R. Anumolu, Advocate
5. Mr. T. V. Ratnam, Advocate
6. Mr. Anil Kumar Tandale, Advocate
7. Mr. V. K. Siddharthan, Advocate
8. Ms. Nidhi, Advocate.

ASSISTANT REGISTRAR