

SECTION-XVI

LISTED On: 11.08.2015

COURT No.: 9

ITEM No.: 9

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (Civil) Nos. 28306, 24946, 29399, 29490-92, 29496, 29940-41, 31218, 31562, 30704, 30707, 29303-10, 30732, 32673, 32590, 32645, 34132, 33051, 33131, 33708, 32024, 32614, 34280, 34667, 34668, 34818-20, 32033, 34248, 36755, 36513, 35375, 150, 151, 152, 155, 156, 157, 158, 159, 160, 161, 162, 2190, 2191, 2192, 2193, 2042, 23837, 22300 of 2014, 9, 67, 923-24, 2755, 2914, 2930, 3280, 3306, 2573, 3352, 5964, 5983, 7560, 7562, 7564, 7568, 7569, 7571, 7574, 7577, 8229, 10397, 8229, 10397, 18197, 18198, of 2015, 11885, 11886, 11887, 20033, 20036, 20038, 24742, 24743, 24744, 24745, 24748, 24749, 24753 of 2012

(With Prayer for Interim Relief)

INTERLOCUTORY APPLICATION No. 4

(Application for Intervention filed by Mr. Manu Shanker Sharma in SLP (C) No. 28306/2014)

WITH

INTERLOCUTORY APPLICATION Nos. 5 & 6

(Applications for Impleadment & Official Translation filed by Mr. Shantanu Sagar in SLP (C) No. 28306/2014)

WITH

INTERLOCUTORY APPLICATION Nos.3 and 4

(Applications for direction and exemption from Official Translation filed by Mr. Rameshwar Prasad Goyal in SLP (C) No.29399/2014)

WITH

INTERLOCUTORY APPLICATION Nos.5

(Application for exemption from Official Translation filed by Mr. Abhinav Mukerji in SLP (C) No.29399/2014)

WITH

INTERLOCUTORY APPLICATION Nos. 7-9 and 10-12

(Applications for direction and exemption from O/T filed by Mr. Rameshwar Prasad Goyal in SLP (C) No.29490-92/2014)

WITH

INTERLOCUTORY APPLICATION Nos.13-15

(Application for exemption from Official Translation filed by Mr. Abhinav Mukerji in SLP (C) No.29490-92/2014)

WITH

INTERLOCUTORY APPLICATION Nos. 3 and 4

(Application for direction and exemption from O/T filed by Mr. Rameshwar Prasad Goyal in SLP (C) No.29496/2014)

WITH

INTERLOCUTORY APPLICATION Nos.17-24 and 25-32

(Application for direction and exemption from O/T filed by Mr. Rameshwar Prasad Goyal in SLP (C) No.29303-10/2014)

WITH

INTERLOCUTORY APPLICATION Nos.33-40

(Application for exemption from Official Translation filed by Mr. Abhinav Mukerji in SLP (C) No.29303-10/2014)

INTERLOCUTORY APPLICATION Nos.3

(Application for permission to file additional documents filed by Mr. Himanshu Shekhar in SLP (C) No. 20033/2012)

WITH

INTERLOCUTORY APPLICATION No.3

(Application for permission to correct Inadvertent errors in the SLP filed by Mr. Gaurav Agrawal in SLP (C) No.34667/2014)

OM PRAKASH Etc. Etc.

...Petitioner

Versus

THE STATE OF BIHAR & ORS.

...Respondents

OFFICE-REPORT

The matters above-mentioned were listed before the Hon'ble Court on 20.04.2015 when the Court was pleased to direct the following order:

"In SLP(C) Nos. 36755, 36513/2014, 31218/2014, 31562/2014, 32645/2014, 33131/2014, 33708/2014, 32024/2014 and 32614/2014 it is stated by learned counsel that despite request copies of the SLP Paper Books have not been supplied to the learned counsel for the State of Bihar, interim order is recalled. Mr. Kailash Chand is not even present in Court. Subject to payment of Rs. 500/- in each petition payable in the Advocates Welfare Fund within one week, copies of SLP Paper Books shall be supplied within the said period failing which interim Orders shall be deemed to have been recalled.

We direct Mr. Abhinav Mukerjee in SLP(C) Nos. 36755/2014, and 36513/2014 and Mr. Gopal Singh in SLP(C) No. 31218/14, 31562/2014, 32645/2014 33131/2014, 33708/2014, 32024/2014 abd 32614/2014 to accept notice for the State of Bihar in the abovesaid matters in equal proportions.

Final Opportunity is granted to file Counter-affidavits within four weeks. Rejoinder, if any, be filed within two weeks thereafter.

List the matters for disposal on a non-miscellaneous day in the month of July, 2015.

SLP(C) Nos. 36755, 36513/2014, 33131, 33708 31218/2014, 31562/2014, 32645/2014, 32024/2014 and 32614/2014.

It is submitted that counsels for the petitioner has deposited the payment of Rs. 500/- in these matters, which is

within time, except in the SLP(C) Nos.33131/2014 & 33708/2014, so far.

Service of notice is complete in these matter.

SLP(C) No. 24946 of 2014

It is submitted that the application for directions alongwith exemption from filing official translation was listed before the Hon'ble Court on 15.05.2015 when the Court was pleased to pass the following order:

***"Issue notice.
Reply, if any, be filed within eight weeks."***

Accordingly show-cause notice was issued on the application for direction through Advocate. Service of notice is complete.

SLP(C) Nos. 29399, 29490-92, 29940-41, 31218, 31562, 30704, 29303-29310, 32673, 32590, 32645, 34132, 33051, 33131, 33708, 32024, 32614, 34280, 34667, 34668, 34818-20, 34248, 36513 of 2014

It is submitted that in these matters counsels have filed counter-affidavit. Copy of the same is included in the paper-books. And Rejoinder-affidavit has been filed in the SLP(C) Nos. 30704 & 32645 of 2014. Copy of the same is being circulated before the Hon'ble Court.

Service of notice is already complete.

SLP(c) No.20033, 20036, 20038, 24742, 24743, 24744, 24745, 24749, 24753, 24748 of 2012, 29940-41, 30707 of 2014

It is submitted that in these matters service of notice is already complete.

SLP(C) No. 23837 of 2014

It is submitted that application for restoration filed by Dr. Kailash Chand, Adovate was listed before the Hon'ble Court on 24.07.2015 when the Court was pleased to pass the following order:

"Delay condoned in filing application for restoration.

Application for restoration is allowed. SLP is restored to its original number.

Tag with SLP(C) No. 11885 of 2012."

Service of notice is yet incomplete

SLP(C) No. 22300 of 2014

It is submitted that application for restoration was filed by Dr. Kailash Chand, Advocate was listed before the Hon'ble Court on 24.07.2015 when the Court was pleased to pass the following order:

"Delay condoned in filing application for restoration.

Application for restoration is allowed. SLP is restored to its original number.

Tag with SLP(C) No. 11885 of 2012."

This is a fresh matter.

SLP(C) Nos. 11885, 11886, 11887, 150, 151, 152, 155, 156, 157, 158, 159, 160, 161, 162, 2042, 2190, 2191, 2192, 2193 of 2014

It is submitted that service of notice is complete in all the matters except in SLP(C) 2042, 2192 and 2193/2014 in which service on sole respondent is yet incomplete.

SLP(c) No. 67, 923-24, 2573, 2755, 2914, 2930, 3280, 3306, 3352, 5964, 5983, 7560, 7569, 7574, 8229, 10397 of 2015

Service of notice is complete in all these matters and counter affidavits filed in SLP(c) Nos. 923-24, 2573, 2755, 2914, 3352, 5964, 5983, 7569, 7574, 8229 of 2015 and are included in paper books.

SLP(c) No. 7562 of 2015

There are 7 respondents in this matter. AD card duly signed from Respondent No. 3-4 have been received back. Neither AD card nor unserved cover containing notice from Respondent No. 1-2, 5-7 have been received back, so far (All are State govt. parties)

SLP(c) 7564/15

It is submitted that there are 7 respondents and AD card duly signed from Respondent Nos. 1-4 have been received back. Neither AD card nor unserved cover containing notice from respondent Nos. 5-7 (state Govt. parties) have been received back.

SLP(C) 7568 of 2015

It is submitted that counsel for the petitioner has not filed spare copies. Hence, notice to all 6 respondents (state parties) could not be issued.

SLP(c) No.7571/2015

Their are 7 respondents. AD card from Respondent Nos.2-3 have been received back. Neither AD card nor unserved cover containing notice from Respondent Nos.1,4-7 have been received back (state govt. parties)

SLP(c) No. 7577 of 2015

There are 3 respondents. Neither AD card nor unserved cover from all 3 respondents have been received back, so far.

SLP(c) No. 9 of 2015

The Hon'ble Court has on 1.7.2015 directed notice and accordingly notice has been issued on 22.7.2015 to all 4 respondents. Service of notice is yet awaited.

SLP(c) No. 18197 & 18198 of 2015

The matter above-mentioned was listed before the Hon'ble Court on 07.07.2015 when the Court was pleased to pass the following order:

"Delay condoned.

Issued notice.

Till the next date of hearing, the Petitioner's services shall not be terminated, if not already so done.

Tag along with SLP(C) No. 28306 of 2014."

Accordingly show-cause notice was issued to all the respondents Mr. Abhinav Mukerji, Advocate has on 03.08.2015 filed vakalatnama on behalf of state of Bihar in the SLP(C) NO. 18197 of 2015. But in both the matters all are state Govt. Parties.

Service of notice is complete in SLP (C) No.18197/2015

The matters are listed before the Hon'ble Court with this Office report.

Dated this the 7th day of August, 2015.

ASSISTANT REGISTRAR

Copy to:- Mr. R.P. Goyal, Advocate
Mr. Gopal Singh, Advocate
Mr. Samir Ali Khan, Advocate
MR. Abhinav Mukerji, Advocate
Mr. Manu Shankar Misra, Advocaate
Dr. Kailash Chand, Advocate
Mr. Gaurav Agrawal, Advocate

Mr. Rajiv Shanker, Advocate
Mr. Nitin Kr. Thakur, Advocate,
Mr. R.P. Singh, Advocate
Mr. Ajay Kumar, Advocate
Mr. T. Mahipal, Advocate
Mr. D.S. Mehra, Advocate
Mr. Shantanu Sagar, Advocate

ASSISTANT REGISTRAR