

BEFORE THE HON'BLE JUDGE IN CHAMBERS

SEC.IV-A

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION NO. 5 IN SLP(C) NO. 8490/2013

(Application for deletion of proforma Respondent Nos. 4 & 5)

AND

INTERLOCUTORY APPLICATION NO. 5 IN SLP(C) NO. 18950/2013

(Application for deletion of proforma Respondent Nos. 4 & 5)

IN

PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 8490 AND 18950 OF 2013

WITH PRAYER FOR INTERIM RELIEF

Muniyappa, Etc.

...Petitioners

-Versus-

Syed Jaleel Ahmed & Ors.

...Respondents

OFFICE REPORT

SLP(C) No. 8490/2013

The matter above mentioned was listed before the Hon'ble Court on 11.03.2013, when the Court was pleased to pass the following Order:

"Heard Mr. V.A. Mohta, learned senior counsel for the petitioner.

Exemption allowed.

Issue notice.

Until further orders, further proceedings of the suit will remain stayed."

Accordingly, show cause notice was issued to all the 8 respondents through Regd. A.D. Post. Mr. S.N. Bhat, Advocate has filed vakalatnama/memo of appearance on behalf of Respondent Nos. 2 & 3 and has also filed counter affidavit on their behalf and copy of same has been included in the paper books. Respondent Nos. 1, 6 & 7 have been deleted from the array of parties by Order dated 09.12.2015 of Hon'ble Judge in Chambers. Respondent No. 8 has been served through dasti service, but no appearance is filed. Unserved registered cover, containing notice, has been received back in respect of Respondent No. 5 with postal remarks "incomplete address." Neither A.D. Card nor unserved registered cover, containing notice, has been received back in respect of Respondent No. 4.

It is submitted that counsel for the petitioner has on 10.02.2017 filed application for deletion of proforma Respondent Nos. 4 & 5 in the matter above mentioned. The said application has been registered as I.A. No. 5.

SLP(C) No. 18950/2013

The matter above mentioned was listed before the Hon'ble Court on 10.05.2013, when the Court was pleased to pass the following Order:

*“Delay condoned.
Heard the learned counsel for the petitioner.
Issue notice returnable in six weeks. Liberty is granted to the
petitioner to correct the papers which are already filed.”*

Accordingly, show cause notice was issued to all the 8 respondents through Regd. A.D. Post. Mr. S.N. Bhat, Advocate has filed vakalatnama/memo of appearance on behalf of Respondent Nos. 2, 3, 7 & 8 and has filed counter affidavit only on behalf of Respondent Nos. 2 & 3 and copy of same has been included in the paper books. Respondent Nos. 1, 6 & 7 have been deleted from the array of parties by Order dated 09.12.2015 of Hon'ble Judge in Chambers. Unserved covers, containing the notice, have been received back with postal remarks in respect of Respondent No. 4 (illegible remarks) and Respondent No. 5 (incomplete address).

It is submitted that counsel for the petitioner has on 10.02.2017 filed the application for deletion of proforma Respondent Nos. 4 & 5. The said application has been registered as I.A. No. 5.

Both the matters above mentioned were listed before the Registrar Court from time to time and when lastly listed on on 14.02.2017, the following Order was passed:

*“Service of notice is complete on respondent No.8 in SLP(C) No. 8490/2013 but no one has entered appearance on his behalf.
The office report states that the learned counsel for the petitioners has filed an applications for deletion of respondent Nos. 4 and 5 in both the SLPs from the array of the parties. The said applications shall be processed for listing before the Hon'ble Judge in Chambers for further directions.*

The applications in both the matters above mentioned are, therefore, listed before the Hon'ble Judge in Chambers for orders

Dated this the 25th of February, 2017.

Copy to: Mr. Shirish K. Deshpande, Advocate
Mr. S.N. Bhat, Advocate

ASSISTANT REGISTRAR

ASSISTANT REGISTRAR