

**Listed On: 05.10.2015, Court No. 1, Item No. 55**

**SECTION:XIV**

**IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION**

**INTERLOCUTORY APPLICATION NO. 5**

**(Application for early hearing filed by counsel for the appellant)**

**IN**

**CIVIL APPEAL No. 9511 OF 2010**

Smt. Meena Sengupta

...Appellant

**Versus**

Nitendra Gupta (D) Thr. Lrs. & Ors.

...Respondents

**OFFICE REPORT**

The appeal above mentioned alongwith Civil Appeal No. 9510/2015 was listed before the Hon'ble Court on 22.10.2013, when the Court was pleased to pass the following order:-

***"List the matters tomorrow."***

It is submitted that counsel for the appellant has filed the application for early hearing (registered as I.A. No. 5) in the appeal above mentioned and requesting therein to list the Civil Appeal No. 9510/2010 before the Hon'ble Court. The appeal above mentioned has been tagged with C.A. No. 9510/2010 (Main matter). In this regard Counsel has been informed by this Registry to mention both the appeal numbers in application for early hearing but he has not done the needful so far, Despite Registry's letter dated 21.04.2015.

It is further submitted that there are 3 respondents in this appeal. Service of Notice of Lodgment of Petition of Appeal is complete on all the respondents. Respondent No.2 is appearing In-person. Respondent Nos. 1 & 3 are represented by Ms. Garima Prasad and Mr. Subramonium Prasad, Advocates respectively. In respect of Respondent No. 3 Mr. Praveen Aggarwal, Advocate has filed the Vakalatnama memo appearance and counter affidavit/statement of case and the same has not been taken on record, when he was not furnished the "no objection certificate" from erstwhile Advocate Mr. Subramonium Prasad, despite this Registry's letter dated 26.02.2009.

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It is also submitted that Mr. Subramonium Prasad, Advocate has been designated as Senior Advocate and alternative arrangement notice has been issued to the Respondent No.3 i.e. Sh. Robinder Gupta, by Speed post on 8/8/2015 and as per tracking report of postal department notice has been delivered on 11/08/2015 but no one has entered appearance on his behalf so far, delivery report has been placed with the file.

It is lastly submitted that counsel for appellant and Respondent Nos. 2 has filed the statement of case and counsel for the Respondent Nos. 1 and 3 have not filed the statement of case and is right to file the same is forfeited, vide Hon'ble Chamber Judge Order dated 11.08.2014, hence **Civil Appeal is ready and shown in the Terminal list.** Copy of the same has been placed with appeal Paper Books.

The application in the appeal above mentioned is listed before the Hon'ble Court with this office report.

DATED THIS, THE 26th day of August, 2015.

ASSISTANT REGISTRAR.

Copy to :

1. Mr. M.C. Dhingra, Adv. 35, Law Chamber
2. Ms. Garima Prasad, Advocate. No Chamber
3. Mr. Virendra Gupta, (R2-in-person)  
87, Sunder Nagar, ( By Regd. AD)  
New Delhi.
4. Sh. Robinder Gupta, (R3)  
5, Sultanpur Estate, ( BY REGD.)  
Meharauli, New Delhi.
- \*5. Mr. Praveen Aggarwal, Advocate No. Ch.**

\*Please file Vakalatnama/Appearance and Statement of case in fresh on behalf of Respondent No. 3 i.e. Sh. Robinder Gupta, within one week from the date of issue of this Registry letter.

ASSISTANT REGISTRAR.