

REGISTRAR COURT NO.1

LISTED ON: 17-7-2014

ITEM NO.: 100

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

CIVIL APPEAL NO. 4122 OF 2012

J.V. KISHORE KUMAR & ORS.

..APPELLANTS

-VERSUS-

THE LAND ACQUISITION OFFICER & REVENUE
DIV. OFF. & ANR.

..RESPONDENTS

OFFICE REPORT

This is an appeal by Special Leave filed against the Judgment and Order dated 15th July, 2011 of the High Court of Judicature, Andhra Pradesh at Hyderabad in A.S. No. 2090 of 1998.

It is submitted to the Hon'ble Court that there are two respondents in the matter above-mentioned. Respondent No. 2 is represented by Mr. P. Parmeshwaran, Advocate.

High Court vide its letter dated 25th August, 2012 has forwarded certificate of service of notice in respect of Respondent No. 1 but no one has entered appearance on behalf of Respondent No. 1.

Service is complete.

Original record of the High Court and Lower Court are available for the reference of the Hon'ble Court.

It is further submitted that Counsel for the appellant has on 14th January, 2013 filed statement of case but counsel for the Respondent No. 2 has not filed the statement of case in terms of order XV, Rule 35(1) of Supreme Court Rules, 1966 even after the expiry of the period of 35 days.

It is humbly submitted that Order XV Rule 39 SCR, 1966 says that where a respondent fails to lodge the statement of case within the time prescribed, the appeal shall, subject to the provision contained in the proviso to sub-rule (2) of Rule 35, be set down ex parte against respondent

in defeat.

It is lastly submitted that the lead matter i.e. CA No. 3629 of 2012 was listed before the Ld. Registrar Court on 10th July, 2014 under the pre-final hearing category and it was directed to process the matter for listing before the Hon'ble Court as per rules.

The above-mentioned appeal is listed before the Ld. Registrar Court as “pre-final hearing” with this office report.

Dated this, the 16th day of July, 2014.

ASSISTANT REGISTRAR

Copy to:

Mr. Sridhar Potaraju, Advocate for Appellant.

Mr. P. Parmeswaran, Advocate for Respondent No. 2.

ASSISTANT REGISTRAR