SECTION : XIV
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 2763/2002
WITH
INTERLOCUTORY APPLICATION NOS. 6, 9 & 10
(Application for modification, application for bringing on record Lrs. Of deceased appellant No. 1 and application for restoration of I.A. Nos. 7-8)
AND
CONTEMPT PETITION NO. 21/2008

AMRIT KUMAR SANGHI (DEAD) & ORS. ...APPELLANTS

VERSUS

MRS. UMA SANGHI & ORS. ...RESPONDENTS

OFFICE REPORT

It is submitted that there are 18 respondents in this appeal. Service of notice of lodgment of petition of appeal is complete on all the respondents. Name of Respondent No. 2 has been deleted vide Court's Order dated 27.09.2005. Respondent Nos. 13 to 16 are represented by M/S. K.J. John & Co., Advocates and respondent Nos. 4, 5 & 18 are represented by Ms. Pratibha jain, Advocate. Mr. Senthil Jagadeesan, Advocate filed vakalatnama on behalf of Respondent Nos. 8 and 9. Respondent Nos. 1, 3, 6, 7 and 10 to 12 and 17 have not entered appearance so far though served with notice.

It is further submitted that Ms. Praveena Gautam, Advocate has on 10th September, 2007, filed an application for modification of Court’s Order dated 15th April, 2002 (regd. as I.A. No. 6) and the same is placed with appeal paper books.

It is further submitted that counsel for the appellant has on 06.11.2008 filed application for bringing on record of Lrs. of deceased appellant No. 1 (died on 11.10.2008) with death certificate (within time). In para 4 of the application it is submitted that the proposed Lrs. are already before this Hon’ble Court as appellant Nos. 5, 2, 3, 4 & 8 in their individual capacity (regd. as I.A. No. 9). He has also filed application for restoration of I.A. Nos. 7 & 8 (application for directions) which was disposed of vide this Court’s Order dated 14.10.2008 and the same is registered as I.A. No. 10.

Both the applications are placed with appeal paper books.

It is further submitted that counsel for respondent No. 18 has on 07.01.2008 filed Contempt Petition alongwith annexures against the alleged contemnor for violation of Orders of this Hon'ble Court dated 15.04.2002 (regd. as Contempt Petition No. 21/2008).

It is further submitted that the appeal is connected with C.A. No. 3687/2006 (Pertains to ection XV).

It is further submitted that the matter above mentioned was listed before the Court of Ld. Registrar on 22.09.2014, when the Court was pleased to pass the following order:-

> **"The office report is that although by Order dated 20.08.2014 of this Court four weeks time as last chance was given to the respondent Nos. 13-16 for filing the counter affidavit, yet they have not done the needful so far. Therefore no further opportunity is warranted to be given to them on that count taking into consideration the rule position.**
>
> **Since the matter pertains to the year 2002 the statement of case is not required to be filed. Viewed thus, the matter shall be processed for listing before the Hon'ble Court under the rules."**

Despite the aforesaid order, counsel for respondent Nos. 13-16 has not filed counter affidavit so far.

It is lastly submitted that Mr. Senthil Jagadeesan, Advocate for respondent No. 9 has filed counter affidavit and the same has been included in appeal paper books.

Original record has been received from the concerned High Court and available with this Court.

The appeal above mentioned is listed before the Hon'ble Court with this Office Report.

DATED THIS, THE 5th DAY OF OCTOBER, 2015.

ASSISTANT REGISTRAR

Copy to:

1. Ms. Praveena Gautam, Advocate
2. Mr. Siddharth Choudhry, Advocate
3. M/s Mitter & Mitter Co., Advocate
4. Mr. Yash Raj Deora, Advocate
5. Mr. Senthil Jagadeesan, Advocate
6. M/s K.J. John & Co. Advocate
7. Ms. Pratibha Jain, Advocate

ASSISTANT REGISTRAR