

SECTION IV B

Listed on.24.9.2013

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Court No.R2
Item No.31

PETITIONS FOR SPECIAL LEAVE TO APPEAL(CIVIL)NOS. 22252, 25391, 28724, 25393, 25390, 25389, 32267, 33885, 33887, 33889 OF 2011, 3479, 26412, 26413, 26414 OF 2012, 526, 685 and 687 OF 2013, 6672, 6673, 6674, 6675, 6676 OF 2012 AND 11231, 11353, 11354, 11355, 11356, 11357 AND 11358 OF 2013

WITH PRAYER FOR INTERIM RELIEF

Principal Secretary To Govt. & Ors. Etc. ...Petitioner(s)

Versus

Hansraj & Ors. Etc. Etc.

...Respondent(s)

OFFICE REPORT

The matters above mentioned were listed before the Ld. Registrar on 5.8.2013 with an office report dated 2.8.2013, when the following order was passed:-

" In SLP(C) No.22252 of 2011

Learned counsel for the petitioner granted four weeks' time for taking steps against the Lrs. of deceased

Respondent No. 15, as last chance.

In SLP(C) No. 25393/2011

Respondent Nos. 5,7, 11 and 12 are reported to be dead.

Learned counsel for the petitioner is granted four weeks' time for taking fresh steps against the Lrs.

In all matters await service of the unserved respondents.

The served respondents granted four more weeks time for filing Counter Affidavit.

List the matter on 24.9.2013."

SLP NO. 22252/2011

It is submitted that there are 17 respondents and Mr. U.S. Prasad, Advocate has filed Vakalatnama & memo of appearance on behalf of all the 17 respondents. No counter affidavit has been filed till date. Respondent No. 15 is reported to be dead. Though Vakalatnama & memo of appearance has been filed by Mr. U.S. Prasad on behalf of his proposed Lrs. but no steps for substitution of deceased respondent

NO.15 has been taken by the Counsel for the Petitioner till date.

Service of show cause notice is still incomplete on respondent No.15.

SLP NO. 25389 OF 2011

It is submitted that show cause notice for effecting dasti service in respect of the unserved respondents has been issued on 3.9.2012 but Counsel for the petitioner has not filed an Affidavit of dasti service so far.

Service of show cause notice is not complete on respondent nos. 1-5, 14, 23, 25-26. No Counter affidavit has been filed by respondents who have entered appearance.

SLP (C) No. 25393 OF 2011

It is submitted that Mr. Jagjit Singh Chhabra, Advocate has on 8.4.2013 filed an affidavit of dasti service along with proof stating therein that respondent nos. 9 and 13 have been served. Respondent nos. 5, 7, 11 and 12 have been reported to be dead. Death Certificate of the deceased respondents have also been enclosed but no application for substitution of Lrs. of deceased respondents has been filed.

Dr. Kailash Chand, Advocate has put in appearance on behalf of respondent nos. 1 to 4, 6 and 10 and has on 16.10.2012 filed Counter affidavit.

Respondent No. 8, has been served by way of registered AD Post but no one has entered appearance on behalf of the served respondents so far.

SLP (C) No. 25390/2011

Service of show cause notice is complete. All respondents are represented through Mr. D.S. Prasad, Advocate but the counsel has not filed Counter affidavit.

SLP No. 32267/2011

It is submitted that counsel for the petitioner has not taken fresh steps against unserved respondents so far.

It is further submitted that Mr. J.S. Chhabra, Counsel for the

petitioner has filed only affidavit stating that respondent no. 2 is served through his family members and respondent no. 18 is out of station and served through his family members but he has not filed proof of service alongwith the affidavit.

It is again submitted that neither AD cards/ unserved covers have been received back nor affidavit of dasti service has been filed by the Advocate for the Petitioner against respondent nos. 3, 6 to 8, 10, 13 to 15, 17, 23 and 25.

Service of show cause notice is incomplete against respondent nos. 3, 6 to 8, 10, 13 to 15, 17 and 23 to 25.

SLP No. 33885 and 33887 of 2011

Service of show cause notice is complete but no counter affidavit has been filed so far.

SLP No. 33889/2011

It is submitted that there are total 24 respondents. Mr. P.N. Puri, Advocate has filed Vakalatnama & Memo of appearance on behalf of respondent Nos. 1 to 24, but no counter affidavit has been filed so far.

Service of show cause notice is complete.

SLP No. 3479/2012

It is submitted that show cause notice was issued to all the 31 respondents on 30.3.2012. Mr. Tarun Gupta, Advocate has filed Vakalatnama on behalf of all the 31 respondents but he has not filed counter affidavit so far.

Service of show cause notice is complete.

SLP No. 26414 of 2012

It is submitted that show cause notice was issued to all the seven respondents on 25.9.2012. Mr. Yashpal Dhingra, advocate has filed vakalatnama on behalf of all the seven respondents but he has not filed counter affidavit so far.

Service of show cause notice is complete.

SLP No. 26412 of 2012

It is submitted that show cause notice was issued to all the six respondents on 25.9.2012. Mr. Anis Ahmed Khan, Advocate has filed vakalatnama and Counter affidavit on behalf of all the respondents.

Service of show cause notice is complete.

SLP (C) No. 26413/2012

It is submitted that show cause notice has been issued on 2.1.2013 to all the 21 respondents through registered AD Post. AD Cards duly signed have been received back in respect of respondent Nos. 1, 2, 5, 7, 8, 12, 17, 18, 21 but no one has entered appearance so far.

Neither AD cards nor unserved covers containing notice have been received back from respondent nos. 3, 4, 6, 9 to 11, 13 to 16, 19 and 20 so far.

Service of show cause notice is not complete.

SLP (C) No. 526/2013

It is submitted that Mr. Ashok K. Malhotra, Advocate has filed Vakalatnama and memo of appearance on behalf of all nine respondents but Counter affidavit has not been filed so far.

Service of show cause notice is complete.

SLP (C) No. 685/2013

It is submitted that show cause notice through registered AD Post has been issued to all the 36 respondents on 30.1.2013. Mr. Tushar Bakshi, Advocate has filed Vakalatnama and memo of appearance on behalf of respondent nos. 1 to 17, 19 to 35 and 36 but no Counter affidavit has been filed so far. AD Card has been received back from respondent no. 18. Neither AD card nor unserved cover containing notice has been received back from respondent nos. 34 so far.

Service of show cause notice is not complete against respondent no. 34.

SLP (C) No. 687/2013

It is submitted that neither AD card nor unserved cover containing notice has been received back from respondent no. 4 so far. AD Card duly signed has been received back from respondent no.

3.

It is further submitted that Mr. Balbir Singh Gupta, Counsel for the served respondent nos. 1, 2 and 5 to 12 has not filed Counter affidavit so far.

Service of show cause notice is not complete on respondent no.

4.

SLP (C) No. 28724/2011

It is submitted that AD cards duly signed have been received back from all the respondent nos. 1-30 but there is no appearance on behalf of them. Hence no Counter affidavit.

Service of show cause notice is complete.

SLP (C) No. 6672/2012

It is submitted that show cause notice was issued to all the 24 respondents through registered AD Post on 5.2.2013. Respondent Nos. 5, 7, 8, 10, 11, 12, 13, 16 and 18 are represented by Mr. Jagdev Singh Manhas, Advocate but he has not filed Counter affidavit so far. AD Card duly signed has been received back from respondent nos. 1, 4, 6, 14, 17, 19 and 21. Neither AD cards nor unserved covers containing notice have been received back from respondent nos. 2, 3, 9, 15, 20, 22 to 24 so far.

Service of show cause notice is not complete on respondent nos. 2, 3, 9, 15, 20, 22 to 24.

SLP (C) No. 6673/2012

It is submitted that Mr. Vineet Bhagat, Advocate has on 21.3.2013 filed Vakalatnama and memo of appearance on behalf of all the respondent nos. 1 to 47 but he has not filed Counter affidavit so far.

Service of show cause notice is complete.

SLP (C) No. 6674/2012

It is submitted that Mr. Tushar Bakshi, Advocate has on 1.4.2013 filed Vakalatnama and memo of appearance on behalf of respondent nos. 1 to 7 and 9-14. Neither AD card nor unserved cover containing notice has been received back from respondent no. 8 so far.

Service of show cause notice is not complete on respondent no. 8.

SLP (C) No. 6675/2012

It is submitted that show cause notice issued to sole respondents the registered AD Post on 24.1.2013. Neither AD card nor unserved cover containing notice have been received back from sole respondent.

Service of show cause notice is not complete on sole respondent.

SLP (C) No. 6676/2012

It is submitted that show cause notice was issued to all the 6 respondents through the registered AD Post on 24.1.2013. AD Card duly signed have been received back from respondent nos. 1, 5 and 6. Neither AD cards nor unserved covers containing notice have been received back from respondent nos. 2 to 4 so far.

Service of show cause notice is not complete on respondent Nos. 2 to 4.

SLP (C) Nos. 11231, 11353, 11354, 11355, 11356, 11357 AND 11358 OF 2013

Service position of each matter is as under :-

| SLP No. | Total RRS. | V/A | AD Cards Received | Neither ether Card nor neither cover received | C/A | Remarks |
|---------|------------|---------|---|---|-----|------------|
| 11231 | 3 | 1 to 3 | 1,3 | - | - | Complete |
| 11353 | 24 | 1 to 24 | 2,4,16,21 | - | - | Complete |
| 11354 | 40 | 1 to 40 | 2 to 12, 14 to 22, 24 to 26, 29, 33 to 35, 37, 38 | - | - | Complete |
| 11355 | 16 | - | 2,10,12 to 15 | 1,3,4 to 9, 11, 16 | - | Incomplete |
| 11356 | 67 | - | 6,21,37 | 1 to 5,7 to 20, 22 to 36 and 38to 67- | - | Incomplete |
| 11357 | 18 | - | 1 to 18 | - | - | Complete |

| | | | | | | |
|-------|----|---------------------|---|----|---|------------|
| 11358 | 10 | 1 to 6, 8, 10 | - | -7 | - | Incomplete |
|-------|----|---------------------|---|----|---|------------|

The matters are, therefore, listed before the Ld. Registrar with this office report.

Dated this the 23rd day of September, 2013.

ASSISTANT REGISTRAR

Copy to: Mr. Jagjit Singh Chhabra, Adv.
Mr. U.S. Prasad, Adv.
Mr. Anil Kumar Tandale, Adv.
Mr. Y.P. Dhingra, Adv.
Dr. Kailash Chand, Adv.

ASSISTANT REGISTRAR

YKS