

SECTION IV B

Listed on 14.09.2015
IN THE SUPREME COURT OF INDIA Court No. 13
CIVIL APPELLATE JURISDICTION Item No. 40

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL)NO. 21574 OF 2013

AND

INTERLOCUTORY APPLICATION NO. 4

(Application for urging additional plea and to place on record additional documents with affidavit)

Baldev Chand Jagota ...Petitioner(s)

Versus

Joginder Singh(D) Th. Lrs. & Ors. ...Respondent(s)

OFFICE REPORT

The matter above mentioned was listed before the Ld. Registrar on 22.07.2013 when the following order was passed :-

"On perusal of the judgment and order of the first appellate court, it appears that the finding to the effect that there is no relationship of landlord and tenant between the petitioner and the respondents apparently is not based on adequate evidence so as to set aside the judgment and order of the trial court.

Issue notice."

Accordingly, show cause notice to all the respondents (Respondent No. 1(a) to 1(c) and 2) was issued through Registered A.D. Post on 26.08.2013. Mr. U. S. Prasad, Advocate has filed vakalatnama and also counter affidavit on behalf of Respondent Nos. 1(a) to 1(c). Copy of the same is included in the SLP paper books.

It is further submitted that respondent No. 2 is served through Registered A.D. Post but no one has put in appearance on his behalf.

Service of show cause notice is complete.

The matter above mentioned was lastly listed before the Id. Registrar on 10.03.2015 when the following order was passed :-

"The office report is that the respondent Nos. 1(a) to 1(c) have not cured the defects, found in the counter affidavit filed by them, although by order dated 17.12.2014 of this Court four weeks time was given to them on that count. Service of notice is complete on the respondent No. 2, but no one has entered appearance on his behalf. Viewed in that context, the matter shall be processed for listing before the Hon'ble Court on its own turn."

It is submitted that Mr. Umang Shankar, counsel for respondent Nos. 1(a) to 1(c) has on 10.09.2015 filed application for urging additional plea and to place on record additional documents with affidavit alongwith Annexure A-1 i.e. Photocopy of Bill & receipt which is registered as I.A. No. 4 and copy of the same is being circulated before the Hon'ble Court.

The matter is therefore listed before the Hon'ble Court with this office report.

Dated this the 11th day of September, 2015.

ASSISTANT REGISTRAR

Copy to: Mr. Rajesh Srivastava, Advocate.
Mr. Ugra Shankar Prasad, Advocate.

ASSISTANT REGISTRAR

Rajesh