

SECTION-IX
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 10706 OF 2014

WITH

CC NOS. 11227/2014 AND

SLP(C)NOS.28317/2014,28318/2014,28319/2014,28320/2014,28321/2014,28322/2014,28324/2014,28325/2014,28326/2014,28327/2014,28328/2014,28329/2014,28330/2014,28331/2014,28333/2014,28360/2014,28361/2014,28362/2014,28363/2014,28364/2014,28365/2014,28366/2014,28367/2014,28368/2014,28369/2014,28370/2014,28371/2014,28372/2014,28373/2014,28374/2014,28375/2014,28377/2014,28378/2014,28379/2014,28380/2014,28381/2014,28382/2014,28383/2014,28385/2014,28386/2014,28387/2014,28388/2014,28389/2014,28390/2014,28391/2014,28392/2014,28393/2014,28394/2014,28395/2014,28396/2014,28397/2014,28398/2014,28399/2014,28400/2014,28401/2014,28402/2014,28403/2014,28404/2014,28405/2014,28406/2014,28407/2014,28408/2014,18490/2014,18491/2014,18492/2014,18493/2014,18494/2014,18496/2014,18495/2014,28409/2014,28411/2014,28410/2014,28412/2014,18497/2014,18498/2014,18499/2014,18500/2014,28413/2014,28414/2014,28415/2014,18489/2014,28416/2014,28417/2014,28418/2014,22313/2015,22328/2015,22321/2015,23097/2014,23099/2014,23098/2014,23100/2014,22324/2015,23101/2014,21992/2015,23092/2014,22329/2015,22322/2015,22315/2015,22327/2015,28316/2014,629/2015,630/2015,631/2015,632/2015,36132/2014,594/2015,628/2015,24080/2014,18030/2015,18033/2015,18025/2015,22332/2015,22330/2015,22326/2015,21988/2015

WITH PRAYER FOR INTERIM RELIEF

WITH

INTERLOCUTORY APPLICATION NO. 3 IN SLP (C) NO. 10706 OF 2014

(Application for exemption from filing Official Translation)

LALITA RAMESH LASE & ORS.

...PETITIONERS

-VERSUS-

JAIRAJ KANTILAL SONAWALA & ORS.

..RESPONDENTS

OFFICE REPORT

SLP (C) NO. 10706 of 2014

The matter above mentioned was listed before the Hon'ble Court on 15th April, 2014 when the Court was pleased to pass the following Order :-

"Delay condoned.

Issue notice returnable within six weeks.

Dasti, in addition, is permitted.

Dr. Abhishek M. Singhvi, Sr. Advocate accepts notice on behalf of Ms. Bidi Girish Dave, Advocate on Record for the respondents. They may file counter affidavit within four weeks.

Rejoinder affidavit, if any, may be filed within four weeks thereafter. ..2/-

Post the matter on 11th July, 2014."

Thereafter, the matter above mentioned was listed before the Hon'ble Court on 11th July, 2014 when the Court was pleased to pass the following Order :-

"Learned counsel for the petitioners is allowed three weeks' time to file additional affidavit giving details of tenant (Karta, referring to the evidence of their tenancy and the page numbers wherein court / authority noticed the aforesaid evidence).

Post the matter after three weeks."

It is submitted for information of the Hon'ble Court that there are seven respondents in the instant matter. Ms. Bindi Girish Dave, Advocate has filed vakalatnama/appearance on behalf of all the seven respondents but not filed counter affidavit so far. The counsel for the petitioner has also not filed rejoinder affidavit so far.

It is further submitted that the counsel for the petitioner has filed additional affidavit (Vol. VI and VII) with an application for exemption from filing official translation. The application is registered as I.A. No. 3 and the additional affidavit (Vol. VI and VII) are being circulated before the Hon'ble Court.

Service of notice is complete.

INTERLOCUTORY APPLICATION NOS. 1 AND 2
(Application for condonation of delay in filing and refiling SLP)
IN
SLP CC NOS. 11227/2014

The matter above mentioned was listed before the Hon'ble Court on 4th August, 2014 when the Court was pleased to pass the following Order :-

"Post the matter alongwith SLP (C) No. 10706/2014. In the meantime the additional affidavit may be filed."

It is submitted for the information of the Hon'ble Court that there is delay of 266 days in filing and 230 days in refiling the SLP.

It is further submitted that counsel for the petitioner has not filed additional documents so far.

SLP(C)NOS.18489/2014,28317/2014,28318/2014,28319/2014,28320/2014,28321/2014,28322/2014,28324/2014,28325/2014,28326/2014,28327/2014,28328/2014,28329/2014,28330/2014,28331/2014,28333/2014,28360/2014,28361/2014,28362/2014,28363/2014,28364/2014,28365/2014,28366/2014,28367/2014,28368/2014,28369/2014,28370/2014,28371/2014,28372/2014,28373/2014,28374/2014,28375/2014,28377/2014,28378/2014,28379/2014,28380/2014,28381/2014,28382/2014,28383/2014,28385/2014,28386/2014,28387/2014,28388/2014,28389/2014,28390/2014,28391/2014,28392/2014,28393/2014,28394/2014,28395/2014,28396/2014,28397/2014,28398/2014,28399/2014,28400/2014,28401/2014,28402/2014,28403/2014,28404/2014,28405/2014,28406/2014,28407/2014,28408/2014,18490/2014,18491/2014,18492/2014,18493/2014,18494/2014,18496/2014,18495/2014,28409/2014,28411/2014,28410/2014,28412/2014,18497/2014,18498/2014,18499/2014,18500/2014,28413/2014,28414/2014,28415/2014,28416/2014,28417/2014,28418/2014,23097/2014,23099/2014,23098/2014,23100/2014,23101/2014,23092/2014,28316/2014,36132/2014 AND 24080/2014

The matters above mentioned were listed alongwith connected matters before the Hon'ble Court on 14th July, 2014 when the Court was pleased to pass the following Order :-

"Delay condoned.
Issue notice.
Dasti, in addition, is permitted.
Mr. Aman Gandhi accepts notice on behalf of the respondents.
Learned counsel for the respondents to file counter affidavit within four weeks.
Rejoinder affidavit, if any, be filed within four weeks thereafter.
Tag with CC No. 1143 of 2014. "

It is submitted that there are seven respondents. All are represented by Ms. Bindi Girish Dave, Advocate. Neither counter nor rejoinder affidavit have been filed in the matters above-mentioned above so far.

Service of notice is complete.

SLP (C) NOS. 628, 629, 630, 631 and 632 of 2015

The matters above mentioned were listed alongwith connected matters before the Hon'ble Court on 02nd December, 2014 when the Court was pleased to pass the following Order :-

"Issue notice on the application for delay as well as special leave petition returnable in six weeks.
Dasti, in addition, is permitted.
Tag with S.L.P. (C)...CC No. 2643/2014."

It is submitted that there are seven common respondent in the above matters. Neither A.D. card nor unserved covers containing notice have been received back from all the respondents.

It is further submitted that counsel for the petitioner has not filed affidavit of dasti service in respect of all the respondents so far.

Service of notice is not complete.

SLP (C) NO. 594 of 2015

The matter above mentioned were listed before the Hon'ble Court on 07th January, 2015 when the Court was pleased to pass the following Order :-

"Issue notice on application for condonation of delay as well as Special Leave Petition returnable within six weeks.

Dasti, in addition, is permitted.

Tag with CC No. 1143 of 2014."

It is submitted that there are seven respondents in this instant matter. A.D. cards duly signed have been received back from all the respondents but there is no appearance on their behalf so far.

Service of notice is complete.

SLP (C) NOS. 18030/2015,18033/2015 and 18025/2015

The matters above mentioned were listed before the Hon'ble Court on 02nd July, 2015 when the Court was pleased to pass the following Order :-

"Delay condoned.

Issue notice.

Mr. Kunal Vajani, learned counsel, has entered appearance on behalf of the contesting respondents. Hence, no further notice need be issues.

As the impugned order is the same which is in assail in SLP (C) No.10706 of 2014, let the matter be tagged with that special leave petition.

We have been apprised that 124 special leave petitions have been filed assailing the same order. Mr. Vibhakar Mishra, learned counsel, instructing Mr. Patil, learned senior counsel, undertakes to submit a list before the Registry of this Court within a week hence and the Registry is directed to club all the matters together and list the same in the first week of September 2015.

Mr. Kunal Vajani, learned counsel, submitted that he has instructions to appear on behalf of the respondents in all the special leave petitions. In view of the aforesaid, the cases where notices have been issued, copy be served on him so that it will be treated as effective service. The cases where notices have not been issued, advance copies be given to him. .5/-

Be it noted, at one point of time, learned counsel for the petitioner had submitted before this Court that he will file an additional affidavit to substantiate the plea that he was the tenant under the respondent and, therefore, his claim under Section 70(B) of the Bombay Tenancy and Agricultural Land Act is tenable. The said affidavit shall be filed within two weeks hence failing which the same shall be ignored. Counter affidavit to the main case as well as the affidavit in reply to the additional affidavit shall be filed within three weeks therefrom. Rejoinder affidavit, if any, be filed within two weeks from the date of filing of the counter affidavit.

Let the matter be listed as directed on the date fixed, i.e., the first week of September, 2015."

It is submitted for the information of the information of the Hon'ble Court that no additional affidavit has been filed so far. Hence, no counter affidavit has been filed. Ms. Bindi Girish Dave , Advocate has not filed vakalatnama/appearance on behalf of all the respondents so far, though Mr. Kunal Vajani, Advocate accepts notice on behalf of all the respondents in the Hon'ble Court as per aforesaid order.

SLP (C) NOS. 21992, 22313, 22321, 22324, 22329, 22322, 22315, 22327, 22328, 22332, 22330, 22326 and 21988 of 2015

The matters above mentioned were listed before the Hon'ble Court on 31th July, 2015 when the Court was pleased to pass the following Order :-

"Applications for exemption from filing official translation and certified copy of the impugned order are allowed.

Delay condoned.

Issue notice.

Tag with S.L.P. (C) No.10706 of 2014."

It is submitted that there are seven respondents. All are represented by Ms. Bindi Girish Dave, Advocate. Neither counter nor rejoinder affidavit have been filed in the matters above-mentioned so far.

Service of notice is complete.

The matters above-mentioned are listed before the Hon'ble Court with this report.

Dated this the 04th day of September, 2015.

ASSISTANT REGISTRAR

Copy to:

Mr. Sunil Kumar Verma, Advocate

Mr. Bindi Girish Dave , Advocate

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ASSISTANT REGISTRAR