

SUPPLEMENTARY
Listed on 21.10.2013
Before Court No _____
Item No _____

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

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL)NOS.32452-453/2013

KALKAJI MANDIR VIKRETA SANGATHAN -II ... PETITIONER
VERSUS
PIYUSH JOSHI & ORS. ... RESPONDENTS

OFFICE REPORT

The matter above mentioned was listed before Hon'ble Court (Vacation Bench) on 12.10.2013, when the Court was pleased to pass the following order:-

"Permission to file SLP is allowed.

Heard learned counsel for the petitioner.

This is a case where great urgency is shown that demolition is likely to take place immediately, therefore we entertain this petition at residence. However, after going through the record and hearing the learned counsel for the petitioner, we are satisfied that every person occupying part of premises inside the temple is neither authorised occupant or tenant, however, some of them have been authorised to settle either by the Pujaris illegally or anybody else. The case is required to be heard as how the occupants etc. are being there and who has authorised/legal control over the properties if the same belong to the deity.

Thus, in view of the above, issue notice to all the respondents returnable on 21.10.2013 as a part heard as the matter has been heard at great length.

In the meanwhile, operation of the High Court judgment is stayed only till 21.10.2013.

Dasti, in addition, is allowed.

List on 21.10.2013 at 3 P.M. as part heard."

It is submitted pursuant to the order quoted above show cause notice to Respondent No.1 was issued by speed post and Respondent No.2 to 10 by Special Messenger on 14.10.2013 as well as dasti. Mr. Satyendra Kumar, Advocate has on 12.10.2013 filed Vakalatnama/Appearance on behalf of Respondent No.3 but has not filed Counter Affidavit so far. Show cause notice to

Respondent No.9 returned unserved with remarks of special messenger that "MCD has been divided into 3 zones, please specify". Counsel for the petitioner has on 18.10.2013 filed proof of dasti service in respect of Respondent No.1 to 10.

It is further submitted that IA No.4 in IA No. 411-412 in SLP(C) No. 1699/1987 (howkers matter) referred on Annexure P-1 was listed before the Hon'ble Court on 29.04.2013 when the Court was pleased to adjourn the matter. Copy of the order is placed at Page No. 22-24 of SLP paper books.

It is lastly submitted that the counsel for the petitioner was required to cure the defects as pointed out of the filing section. In this regard, he has given a letter dated 14.10.2013 and copy of the same is being enclosed herewith.

Service is complete.

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

DATED THIS THE 19th DAY OF October, 2013

DEPUTY REGISTRAR

COPY TO:

1. Ms. Balraj Dewan, Advocate
2. Mr. Satyendra Kumar, Advocate

DEPUTY REGISTRAR

mkp/p-1