

ITEM NO.39

REGISTRAR COURT. 1

SECTION XIV

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

BEFORE THE REGISTRAR SH. H. SHASHIDHARA SHETTY

Petition(s) for Special Leave to Appeal (C) No(s). 6023/2020

NEW INDIA ASSURANCE CO. LTD.

Petitioner(s)

VERSUS

KUSUM & ORS.

Respondent(s)

WITH

SLP(C) No. 1799/2021 (XIV)

(FOR ADMISSION and I.R. and IA No.54618/2020-CONDONATION OF DELAY  
IN FILING and IA No.54620/2020-EXEMPTION FROM FILING C/C OF THE  
IMPUGNED JUDGMENT)

SLP(C) No. 10366/2020 (XIV)

(FOR SUBSTITUTED SERVICE ON IA 45737/2022  
IA No. 45737/2022 - SUBSTITUTED SERVICE)

SLP(C) No. 1235/2021 (XIV)

IA No. 39004/2022 - SUBSTITUTED SERVICE)

SLP(C) No. 7537/2020 (XIV)

(FOR ADMISSION and I.R.)

SLP(C) No. 1220/2021 (XIV)

(FOR ADMISSION and I.R. and IA No.54593/2020-CONDONATION OF DELAY  
IN FILING and IA No.54594/2020-EXEMPTION FROM FILING C/C OF THE  
IMPUGNED JUDGMENT)

SLP(C) No. 1834/2021 (XIV)

(FOR ADMISSION and I.R. and IA No.56689/2020-CONDONATION OF DELAY  
IN FILING and IA No.56690/2020-EXEMPTION FROM FILING C/C OF THE  
IMPUGNED JUDGMENT)

SLP(C) No. 1831/2021 (XIV)

(FOR ADMISSION and I.R. and IA No.50507/2020-CONDONATION OF DELAY  
IN FILING and IA No.50509/2020-EXEMPTION FROM FILING C/C OF THE  
IMPUGNED JUDGMENT)

SLP(C) No. 1229/2021 (XIV)

(FOR ADMISSION and I.R. and IA No.54577/2020-CONDONATION OF DELAY  
IN FILING and IA No.54578/2020-EXEMPTION FROM FILING C/C OF THE  
IMPUGNED JUDGMENT)

SLP(C) No. 1350/2021 (XIV)

(FOR ADMISSION and I.R. and IA No.54605/2020-CONDONATION OF DELAY  
IN FILING and IA No.54606/2020-EXEMPTION FROM FILING C/C OF THE  
IMPUGNED JUDGMENT)

SLP(C) No. 1346/2021 (XIV)

( IA No.54596/2020-CONDONATION OF DELAY IN FILING and IA  
No.54597/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 1222/2021 (XIV)

(FOR ADMISSION and I.R. and IA No.54709/2020-CONDONATION OF DELAY

contd...

IN FILING and IA No.54711/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 1342/2021 (XIV)

( IA No.54600/2020-CONDONATION OF DELAY IN FILING and IA No.54603/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 10452/2020 (XIV)

IA No. 38997/2022 - SUBSTITUTED SERVICE)

Date : 16-12-2022 This petition was called on for hearing today.

For Petitioner(s)

Mr. Rohit K. Sinha, Adv.

Mr. T. Mahipal, AOR

For Respondent(s)

Mr. Vivek Sharma, AOR

Ms. Vimal Sinha, Adv.

Mr. Rajesh Kumar, Adv.

Mr. Mritunjay Kumar Sinha, AOR

Ms. Pratima Nain Lakra, AOR

UPON hearing the counsel, the Court made the following  
O R D E R

Ld. Counsel for the petitioner submits that respondent No.4 in SLP(C) No. 1799/2021, SLP(C) No.1220/2021, SLP(C) No.1350/2021 and SLP(C) No.1342/2021, respondent No.3 in SLP(C) No.1229/2021 and SLP(C) No.1222/2021 and respondent No.6 in SLP(C) No.1831/2021 and SLP(C) No.1834/2021 is a common respondent (i.e. Mushtak Ahmad) and is dead and his son has refused to accept notice. Ld. Counsel for the petitioner is granted four weeks' time to take appropriate steps in this regard.

Ld. Counsel for the petitioner seeks permission to carry out a common publication for respondent No.8 in SLP(C) No.1235/2021 and SLP(C) No.10452/2020. Permission granted. Proof of publication be filed within four weeks.

Contd...

SLP(C) No.6023/2020

Respondent Nos.1 to 5 are granted four weeks' time, as last opportunity, for filing counter affidavit.

Service is complete on respondent Nos.6-8 but none has entered appearance.

SLP(C) No.1799/2021

Service is complete on respondent Nos.1-3 and 5 but none has entered appearance.

SLP(C) No. 10366/2020

Application for substituted service filed in respect of respondent No.13 is allowed. Proof of publication be filed within four weeks.

Service is complete on respondent Nos.1 to 12 but none has entered appearance.

SLP(C) No. 1235/2021

Respondent Nos.1-5 and 7 are granted four weeks' time, as last opportunity, for filing counter affidavit.

Application for substituted service filed in respect of respondent No.8 is allowed. Proof of publication be filed within four weeks.

Service is complete on respondent Nos.6 and 9 but none has entered appearance.

SLP(C) No. 7537/2020

Respondent Nos.1 to 5 are granted four weeks' time, as last opportunity, for filing counter affidavit.

Contd..

Service is complete on respondent Nos.6 and 7 but none has entered appearance.

SLP(C) No.1220/2021 and 1350/2021

As per office report, respondent Nos.1-3 have not filed counter affidavit. Ld. Counsel for the said respondents submits that they do not wish to file counter affidavit. Submission is taken on record.

Service is complete on respondent No.5 but none has entered appearance.

SLP(C) No.1834/2021

Ld. Counsel for the petitioner is granted four weeks' time, as last opportunity, to file affidavit of dasti service in respect of respondent respondent Nos.1-5 and 7.

SLP(C) No.1831/2021

Service is complete on respondent Nos.1-5 but none has entered appearance.

Ld. Counsel for the petitioner is granted four weeks' time to file affidavit of dasti service in respect of respondent No.7.

SLP(C) No.1229 and 1346/2021

Service is complete on respondent Nos.1, 2 and 4 but none has entered appearance.

SLP(C) No.1222/2021

As per office report, respondent Nos.1 and 2 have not filed counter affidavit. Ld. Counsel for the said respondents

Contd..

submits that they do not wish to file counter affidavit.  
Submission is taken on record.

Service is complete on respondent No.4 but none has entered appearance.

SLP(C) No.1342/2021

As per office report, respondent Nos.1-3 have not filed counter affidavit. Ld. Counsel for the said respondents submits that they do not wish to file counter affidavit. Submission is taken on record.

Service is complete on respondent No.5 but none has entered appearance.

SLP(C) No.10452/2020

Respondent Nos.1 to 5 and 7 are granted four weeks' time, as last opportunity, for filing counter affidavit.

Ld. Counsel for the petitioner is granted four weeks' time to file affidavit of dasti service in respect of respondent No.6.

Application for substituted service filed in respect of respondent No.8 is allowed. Proof of publication be filed within four weeks.

Service is complete on respondent No.9 but none has entered appearance.

List again on 16.2.2023.

H. SHASHIDHARA SHETTY  
Registrar