

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO. 35097 OF 2014

WITH

INTERLOCUTORY APPLICATION NO.1

(Application for condonation of delay in filing the SLP)

M/s S.S.D. Spinning Mills, HTSC No. 97 & 179

...Petitioner

-VERSUS-

State of Tamil Nadu & Ors.

...Respondents

OFFICE REPORT

The matter was listed before the Hon'ble Court on 12th December, 2014, when the Court was pleased to pass the following order:-

“Permission to file SLP is granted.

Issue notice on the application for condonation of delay as also on special leave petition.

We make it clear that there is no stay on the operation of the impugned judgment insofar as the petitioner is concerned.”

Accordingly, show cause notice was issued on 16th January, 2015 to all the three respondents by Regd. A.D. Post. A.D. Cards duly signed have been received back from respondent Nos. 2 and 3 but no one has filed Vakalatnama/Appearance on behalf of said respondents so far. Neither A.D. Card nor unserved cover containing the notice was received back from respondent No. 1.

Thereafter, the office report on default with regard to non filing of spare copy of SLP was listed before Hon'ble Judge in Chambers from time to time and was lastly listed on 9th August, 2016, when His Lordship was pleased to pass the following order:-

“On 13th April, 2016, the following order was passed by the learned Chamber Judge:

“Finally, a week's time is granted to learned counsel for the petitioner to file copy of the petition for effecting service of notice on respondent No.1.”

However, no steps have been taken to effect service upon the un-served respondent No. 1. At the request of the learned counsel for the petitioner, further time of three weeks is granted, subject to the petitioner depositing a sum of Rs.1,000/-, by way of costs to the credit of Supreme Court Legal Services Committee. The Costs to be deposited within two weeks from today.”

It is submitted that within the stipulated time granted by the Hon'ble Judge in Chambers, counsel for the petitioner has on 22nd August, 2016 filed proof of deposit of Rs. 1,000/- in Supreme Court Legal Services Committee.

It is further submitted that counsel for the petitioner has also on 22nd August, 2016 filed spare copy of SLP. Accordingly, fresh show cause notice was issued to respondent No. 1 on 1st September, 2016 by Regd. A.D. Post. As per tracking report, notice has been delivered to respondent No. 1 on 19th September, 2016. But no one has filed Vakalatnama/Appearance on behalf of the said Respondent so far.

Service of notice is complete on all the respondents.

The office report was listed before the Ld. Registrar's Court on 5th December, 2016, when the following order was passed:-

**“None appears for respondent nos. 1 to 3 despite due service.
As such, process for listing before Hon'ble Court as per Rules.”**

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

Dated this the 5th day of January, 2017.

ASSISTANT REGISTRAR

Copy to:

1. Ms. Hetu Arora Sethi, Advocate
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2. Mr. B. Balaji, Advocate
Standing counsel for the State of Tamil Nadu.

ASSISTANT REGISTRAR