

Listed on: 17.10.2016

Court No. R-2

Item No. 13

**SECTION XIA**  
**IN THE SUPREME COURT OF INDIA**  
**CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL Nos. 6258, 6260, 6262, 6266, 6265, 9001, 9002, 9005, 9016, 9018, 9022, 9212, 9213, 9217, 9222, 9225, 9238, 9241, 9210 OF 2014 AND 295 OF 2015.**

The Secretary to Govt. of Kerala & Ors. Etc.

...Appellants

Versus

James Varghese & Ors. Etc.

..Respondents

**OFFICE REPORT**

**CIVIL APPEAL Nos. 6258, 6260, 6262, 6265, 9001, 9002, 9016, 9018, 9022, 9212, 9213, 9217, 9222, 9225, 9238, 9241, 9210 OF 2014 AND 295 OF 2015.**

The matters above mentioned alongwith connected matters were listed before the Ld. Registrar on 30<sup>th</sup> June, 2016, when he was pleased to pass the Order (Copy of Order dated 30.06.2016 is enclosed herewith).

**AND C.A. Nos. 6266 AND 9005 OF 2014**

Service position of the matters above-mentioned are given below:

S.No.	Civil Appeal Nos.	No. of Respondents	Service Position	Status
1.	6258 of 2014	3	The matter has been updated as ready vide Ld. Registrar's Order dated 30.06.2016.	Complete
2.	6260, 6262 and 6266 of 2014	3 (Common in all the appeals)	Mr. G. Prakash, Advocate has filed memo of appearance on behalf of Appellant i.e. State of Kerala in all the matters. There are 3 Respondents (Common in all the appeals). Respondent No. 2 is served through High Court in all the appeals but no one has entered appearance so far. Certificate of service has been received in respect of Respondent Nos. 1 and 3 (Common in C.A. No. 6260, 6262 and 6266 of 2014) are	Incomplete

S.No.	Civil Appeal Nos.	No. of Respondents	Service Position	Status
			<p>residing in U.S.A. and C.A. No. 6266 of 2014 was listed before the Hon'ble Judge in Chambers on 10.08.2016 when the Court passed the following order:  <b>“According to the Office Report respondent Nos.1 and 3 could not be served as fresh and complete addresses of these respondents were not furnished by the counsel for the appellants.</b>  <b>Office report also indicates that these very respondents are respondents in connected Civil Appeal No.9004 of 2014 and are represented through Mr. John Mathew, learned advocate of this Court.</b>  <b>In the circumstances, appropriate communication be sent by learned counsel for the appellants to Mr. John Mathew, learned advocate and receipt of such communication be taken as good service upon said unserved respondents. Registry to proceed with the matter.”</b>  Accordingly, a letter has been sent on 30.08.2016 to counsel for the Appellant and also a copy to Mr. John Mathew, Advocate but counsel for the Appellant has not filed receipt of such communication so far.</p>	
3.	6265 of 2014	4	<p>Mr. G. Prakash, Advocate has filed memo of appearance on behalf of Appellant i.e. State of Kerala in the matter.  There are 4 Respondents and are served through High Court but no one has entered appearance on their behalf so far.  Counsel for the appellant has not filed statement of case so far and the time so granted has expired.</p>	Complete

<b>S.No.</b>	<b>Civil Appeal Nos.</b>	<b>No. of Respondents</b>	<b>Service Position</b>	<b>Status</b>
4.	9001 of 2014	Sole	Mr. G. Prakash, Advocate has filed memo of appearance on behalf of Appellant i.e. State of Kerala in the matter. Counsel for the Appellant has not filed statement of case so far and the time so granted has expired.	Complete
5.	9002 of 2014	Sole	Mr. G. Prakash, Advocate has filed memo of appearance on behalf of Appellant i.e. State of Kerala in the matter. Service is complete on Lrs. Nos. (i), (iii), (v), (vi), (vii), (viii) and (ix) of deceased sole respondent but no one has entered appearance on their behalf so far. Counsel for the appellant has not filed proof of service of Chamber Summons in respect of Lrs. Nos. (ii) and (iv) and the time so granted has expired.	Incomplete on Lr. Nos. (ii) and (iv)
6.	9005 of 2014	Sole (Dead through Lrs.)	Mr. G. Prakash, Advocate has filed memo of appearance on behalf of Appellant i.e. State of Kerala in the matter. Application for substitution to bring on record the Lrs. Of deceased sole respondent has been allowed vide Hon'ble Judge in Chambers order dated 27.09.2016. Accordingly cause title has been amended, service of notice on Lr. Nos. (i) to (iii) of deceased sole respondent is complete but no one has entered appearance so far.	Complete
7.	9016 of 2014	Sole (Dead)	Mr. G. Prakash, Advocate has filed memo of appearance on behalf of Appellant i.e. State of Kerala in the matter. There are 4 Lrs. Of deceased sole respondent. Lrs. Nos. 1 to 3 are represented through Mr. V.	Incomplete on Lr. No. 4

<b>S.No.</b>	<b>Civil Appeal Nos.</b>	<b>No. of Respondents</b>	<b>Service Position</b>	<b>Status</b>
			Shyamohan, Advocate. Counsel for Appellant has not taken any steps to serve Lr. No. 4 residing in U.S.A. (As per report of Tehsildar) and the time granted by Ld. Registrar's order dated 30.06.2016 has expired.	
8.	9018 & 9241 of 2014	Sole (Common)	Mr. G. Prakash, Advocate has filed memo of appearance on behalf of Appellant i.e. State of Kerala in the matter. Counsel for appellant has not taken appropriate steps in respect of sole Respondent and the time so granted has been expired.	Incomplete
9.	9022 of 2014	Sole	Mr. G. Prakash, Advocate has filed memo of appearance on behalf of Appellant i.e. State of Kerala in the matter. Sole respondent is represented through Mr. Rajiv Sharma, Advocate. Counsel for the Parties have not filed the statement of case so far and the time so granted has been expired.	Complete
10.	9212 of 2014	2	Certificate of service has been received on 22.08.2016 in respect of Respondent No. 1 with remarks "Door locked. Shifted to New Premises which is not known." A letter in this regard has been issued on 03.09.2016 to counsel for appellant to furnish fresh particulars of Respondent No. 1 but he has not filed so far.	Incomplete on Respondent No. 1
11.	9213 of 2014	Sole	Mr. G. Prakash, Advocate has filed memo of appearance on behalf of Appellant i.e. State of Kerala in the matter. Counsel for the parties have not filed statement of case so far and	Complete

<b>S.No.</b>	<b>Civil Appeal Nos.</b>	<b>No. of Respondents</b>	<b>Service Position</b>	<b>Status</b>
			the time so granted has expired. Service is complete.	
12.	9217 of 2014	3	There are 3 Respondents. All are served through High Court but no one has entered appearance on his behalf so far. Counsel for the Appellant has not filed statement of case so far and the time so granted has expired.	Complete
13.	9222 of 2014	Sole	Sole Respondent is represented through Mr. Nishe Rajen Shonker, Advocate. Counsel for the parties have not filed statement of case so far and the time so granted has expired.	Complete
14.	9225 of 2014	Sole (Dead)	There are 4 proposed Lrs. Of deceased sole respondent. Lr. Nos. 1, 2 & 4 are represented through Mr. Rajesh P, Advocate. Counsel for the Appellant has not filed proof of chamber summon in respect of Lr. No. 3 of deceased sole Respondent and the time so granted has expired.	Incomplete on Lr. No. 3
15.	9238 of 2014	3	There are 3 Respondents. R. No. 3 is served through High Court but no one has entered appearance on his behalf. Counsel for the appellant has not filed proper application for substitution to bring on record the Lrs that Respondent No. 1 and 2 are dead and there are no other Lrs. except Respondent No. 3 but he has not taken any steps so far and the time so granted has expired.	Incomplete
16.	9210 of 2014	Sole	Sole Respondent is represented through Mr. P.I. Jose, Advocate. Counsel for the parties have not	Complete

<b>S.No.</b>	<b>Civil Appeal Nos.</b>	<b>No. of Respondents</b>	<b>Service Position</b>	<b>Status</b>
			filed the statement of case so far and the time so granted has expired..	
17.	295 of 2015	Sole	It is submitted that in view of the order dated 30.06.2016 counsel for both the parties have not filed statement of case so far.	Complete

The matters above mentioned are listed before the Ld. Registrar with this office report.

Dated this the 6<sup>th</sup> day of October, 2016.

ASSISTANT REGISTRAR

Copy to:

1. Mr. G. Prakash, Advocate (128 New Lawyer's Chambers)
2. Mr. P. I Jose, Adv. (120, Old Lawyers Chambers)
3. Mr. John Mathew, Adv. (Supreme Court Bar Association)
4. Mr. Rabin Majumdar, Adv. (55, Old Lawyers Chambers)
5. Mr. Nishe Rajen Shonker, Adv. (Supreme Court Bar Association)
6. Mr. Rajesh P, Advocate (Supreme Court Bar Association)
7. Mr. Rajeev Sharma, Adv. (Chamber No. 35, SCI)

ASSISTANT REGISTRAR

d1