

SECTION XVII

MATTER FOR : 23.07.2015
R.COURT NO.: 02
ITEM NO. : 15

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No. 7432 OF 2012

Eastern India Power Tech. Ltd. Appellant

VERSUS

Bharat Cooking Coal Ltd. & Anr. Respondents

OFFICE REPORT FOR PRE-FINAL

The matter above-mentioned was listed before the Hon'ble Court on 05th October, 2012, when the court was pleased to inter-alia pass the following order:

**“ ...Delay condoned.
Both the appeals are admitted...”**

It is submitted that there are two respondents in the matter. Respondent No. 1 is represented through Mr. Anupamlal Das, advocate and he has filed the counter affidavit. Counsel for the appellant has on 18.03.2015 filed affidavit of proof of dasti in respect of Respondent No. 2 but no one has entered appearance so far. The service of NLPA is complete.

The matter above-mentioned was listed before the Registrar's Court on 30th March, 2015, when the court passed the following order:

**“ Learned counsel for the Appellant to file the Statement of Case if any within 45 days. Learned Counsel for the Respdnent shall file the Statement of Case within 35 days, thereafter.
Post the matter again on 23.07.2015.”**

It is also submitted that counsel for the appellant has on 20.07.2015 filed statement of case but counsel for the respondent has not filed the statement of case so far.

It is further submitted that proviso 32 (2) of Order XIX of New SCR 2013, "Provided that where as respondent, who has entered appearance, does not file a statement of case within the time, as provided in sub-rule (1), it shall be presumed that the respondent does not desire to lodge statement of case in the appeal.

It is lastly submitted that the original record in the matter has been received and sent back to the concerned Tribunal as per Registry's circular dt. 03.12.2014.

The matters above-mentioned are listed before the Registrar Court for Pre-Final hearing under Order V(I) Rule 30 of SCR 2013 with this office report.

DATED THIS THE 21ST DAY OF JULY, 2015.

ASSISTANT REGISTRAR

Copy to : Mr. Karanjawala & Co., Advocate
Mr. Anupamlal Das, Advocate

ASSISTANT REGISTRAR