

SECTION XII
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 1537 AND 1538 OF 2016

WITH

INTERLOCUTORY APPLICATION NO. 5

(Application for substitution for bringing on record legal representatives of deceased respondent No.9 in C. A. No. 1537 of 2016)

AND

INTERLOCUTORY APPLICATION NO. 5

(Application for substitution for bringing on record legal representatives of deceased respondent No.9 in C. A. No. 1538 of 2016)

R. Jankiammal etc. ...Appellants
versus

S. K. Kumarswamy (D)thr. Lrs. Etc. ...Respondents

OFFICE REPORT

The Interlocutory application No. 4 in Civil Appeal No. 1537 of 2016 was listed before the Hon'ble Court on 2nd January, 2017, when the Hon'ble Court was pleased to pass the following order:-

"Learned counsel for the parties submit that the mediation proceedings have failed and the parties could not settle the matter amicably.

Post the appeal for final hearing, higher up in the list on Tuesday, the 14th February, 2017.

I.A. NO.4 of 2016 is accordingly allowed and disposed of."

CIVIL APPEAL NO. 1537 OF 2016

It is submitted that there are 29 respondents. Respondent Nos. 1 to 6 are represented by Mrs. K. V. Mohan, Advocate and respondent No. 9 is represented by Mrs. Prabha Swami, Advocate.

Mr. S. Ravi Shankar, Advocate has filed vakalatnama/appearance in respect of respondent Nos. 14, 15, 17, 18, 19, 21, 22, 23, 25, 26 & 28. Affidavit of service has been received in respect of respondent Nos. 7, 8, 10, 11, 12, 13, 20, 24, 27 & 29. The name of respondent No. 16 has been deleted vide this Hon'ble Chamber Judge order dated 6th February, 2013.

It is further submitted that Mr. Vikas Mehta, Advocate has on 3rd March, 2017, filed application for substitution for bringing on record legal representatives of deceased respondent No.9, which is within time and is in order. The same has been registered as Interlocutory Application No. 5 .

CIVIL APPEAL NO. 1538 OF 2016

There are 29 respondents. Mr. K. V. Mohan, Advocate has filed vakalatnama/appearance in respect of respondent Nos. 1 to 6 and Mr. Vikas Mehta, Advocate has filed vakalatnama/appearance in respect of respondent No. 10. Mr. S. Ravi Shankar, Advocate has filed vakalatnama/appearance in respect of respondent Nos. 14, 15, 17, 18, 19, 21, 22, 23, 25, 26 & 28. In respect of respondent Nos. 7, 8, 9, 11, 12, 13, 20, 24, 27 & 29 service of notice is complete at Special Leave Petition stage. The name of respondent No. 16 has been deleted vide this Hon'ble Chamber Judge order dated 6th February, 2013.

Service of notice is complete.

It is further submitted that Mr. Gaurav Agrawal, Advocate has on 2nd March, 2017, filed application for substitution for bringing on record legal representatives of deceased respondent No.9, which is within time and is in order. The same has been registered as Interlocutory Application No. 5.

It is further submitted that counsel for the parties in both the Civil Appeals have not filed statement of cases and in terms of Order XIX Rule 32(2) Supreme Court Rules, 2013, and its proviso, where the parties do not file statement of cases within the time prescribed, it shall be presumed that the parties do not desire to file statement of cases and they have adopted list of dates/synopsis as statement of cases.

The matters above mentioned are listed before the Hon'ble Court with this office report.

Dated this, the 6th day of March, 2017.

ASSISTANT REGISTRAR

COPY TO: Mr. Vikas Mehta, Advocate
Mr. K. V. Mohan, Advocate
Mrs. Prabha Swami, Advocate
Mr. S. Ravi Shankar, Advocate

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ASSISTANT REGISTRAR