

SECTION IVB

Listed on. 05.01.2016
Court No.5

IN THE SUPREME COURT OF INDIA Item No.1
CIVIL APPELLATE JURISDICTION

PETITIONS FOR SPECIAL LEAVE TO APPEAL(CIVIL)NOS.771, 21533 OF 2013 AND 24467 OF 2011

WITH PRAYER FOR INTERIM RELIEF

AND

INTERLOCUTORY APPLICATION NO.20 in SLP (C) No.771 of 2013 (Application for Stay)

Govt. Aided Pvt. School Mangt. & Ors. ...Petitioner(s)

Versus

Haryana State Adhyapak sangh & Ors. ...Respondent(s)

OFFICE REPORT

SLP (C) No. 771 of 2013

The matter above mentioned was listed before the Hon'ble Court on 03.01.2013, When the Court was pleased to pass the following order: -

" Permission to file SLP is granted.

Issue notice.

Tag with Review Petition (C) NO. 1917 of 2012."

Accordingly, show cause notice to all the 4 respondent was issued on 07.02.2013 through Regd. A.D. Post. Respondent Nos. 1 and 3 are represented through Ms. Usha Nandini V and Ms. Anubha Aggarwal, Advocates respectively. Counter Affidavit on behalf of Respondent No. 1 has been filed and copies of the same are included in SLP paper books. No counter affidavit has been filed on behalf of Respondent No. 3. Counsel for the petitioner has also not filed Rejoinder Affidavit. The name of Respondent Nos. 2 and 4 are deleted from the array of parties pursuant to Hon'ble Court's order dated 05.08.2015 passed

in I.A. No. 19. Cause Title has been amended accordingly and is included in SLP paper books.

It is submitted that the R.P. (C) No. 1917 of 2012 with which the instant matter was tagged was allowed and restored as SLP to its Original No. i.e. SLP (C) No.24467 of 2011 vide court's order dated 12.03.2014.

It is further submitted that Dr. Kailash Chand, Counsel for the petitioner has on 29.01.2015 filed an application for stay which was lastly listed before the Hon'ble Court on 23.03.2015, when the Court was pleased to pass the following order :-

" Ms. Nidhi Gupta, Adv. Today appears on behalf of respondent No. 2 and 4 and undertakes to file vakalatnama within one week.

Contempt proceedings initiated by the respondents in COCP Nos. 1643, 3402, 3437 of 2013 and 790, 964 and 1755 of 2014 shall remain stayed pending further orders from this Court."

Service of show cause notice is complete.

SLP (C) No. 21533 of 2013

It is submitted that there is sole respondent in the matter. Mr. S.K. Sabharwal, Advocate had on 27.01.2014 filed Vakalatnama\Memo of Appearance and Counter Affidavit on behalf of sole respondent. Counsel for the petitioner has not filed Rejoinder Affidavit so far. (Copy of counter affidavit has been included in the SLP paper books).

It is further submitted that alternative arrangement notice was issued on 25.07.2015 for the sole respondent as Mr. S.K. Sabharwal, counsel for respondent has been expired. But neither AD Cards nor unserved covers containing notice have been received back in respect of

alternative arrangement notice. And no one has filed Vakalatnama and Memo of Appearance on behalf of sole respondent so far.

Service of alternative arrangement notice is not complete.

SLP (C) No.24467 of 2011

The matter above mentioned was listed before the Hon'ble Court on 19.09.2011, when the Court was pleased to pass the following order :-

" Having considered the pleadings in the case, the materials placed on record and the submissions of the learned counsel, we do not find any merit in the special leave petition and hence the special leave petition is dismissed."

Thereafter, Review petition in the matter above-mentioned alongwith connected matters was listed before the Hon'ble Court on 07.01.2014, when the Court was pleased to inter alia pass the following order :-

"R.P (C) No. 1917 of 2012

Learned counsel for the petitioner seeks four weeks' time to file rejoinder affidavit. He may do the needful within four weeks.

Post for hearing along with both the SLPs after eight weeks."

The Review Petition in the matter above mentioned alongwith connected matters were listed before the Hon'ble Court on 12.03.2014, when the Court was pleased to pass the following order :-

" Heard.
Review petition is allowed.
Order dated 19.09.2011 is recalled.
SLP (C) No. 24467 of 2011 is restored to its original number.
To be heard along with SLP (C) No. 771

of 2013 and 21533 of 2013.

Post for hearing after the service and pleadings are complete on a non-miscellaneous day."

It is submitted that Mr. S.K. Sabhawal, counsel for sole respondent is expired. An alternative arrangement notice to sole respondent has been issued on 11.12.2015. No one has entered appearance on behalf of sole respondent so far.

Service is not complete.

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

Dated this the 22nd day of December, 2015.

ASSISTANT REGISTRAR

Copy to :-Mr. Kailash Chand , Adv.
Ms. Anubha Agarwal, Adv.
Ms. Usha Nandini V, Adv.

ASSISTANT REGISTRAR

Com1/Mty