

LISTED ON : 08.07.2015  
COURT NO. 8  
ITEM NO. : 40

SECTION XII-A  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

**PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO. 14596 OF 2011 AND  
CC NO.9378 OF 2011**

WITH  
PRAYER FOR INTERIM RELIEF

TAJ MOHAMMED (D) TR. LRS. & ORS. ..PETITIONERS

- VERSUS -

SULTAN MOHIUDDIN (D) TR. LRS. & ORS. ..RESPONDENTS

**OFFICE REPORT**

The matter i.e. SLP (C) No.14596 of 2011 was listed before the Hon'ble Court on 13<sup>th</sup> May, 2011, when the Court was pleased to pass the following Order:-

“Permission granted.

Issue notice.

Mr. G.V.R. Choudary, Advocate appears and waives service of notice on behalf of respondent No.1.

Four weeks' time is allowed to file reply and four weeks thereafter to file rejoinder.

List after ensuing summer vacation.

In the meantime, parties are directed to maintain status quo as it exists today, on the property in dispute.”

The application for substitution to bring on record Lrs. of deceased Respondent No. 1 and Petitioner No. 1 in the matter (SLP(C) No.14596 of 2011) was listed before the Hon'ble Court(IN CHAMBERS) on 12<sup>th</sup> November, 2014 and 17<sup>th</sup> December, 2014, when the Hon'ble Court was pleased to pass the following Order:-

**12.11.2014:**

“Delay condoned in filing application for substitution of respondent No.1.

Issue notice on the application for substitution of respondent No. 1.”

**17.12.2014:**

“Applications are not opposed by the learned counsel appearing for the other side.

Delay condoned.

Applications for substitution are allowed.”

The matter i.e. SLP (C) No.14596 of 2011 was listed before Registrar Court on 9<sup>th</sup> April, 2015, when he was pleased to pass the following Order:-

“ The office report indicates that the Lrs. of the respondent Nos.1 and 2 have already filed the counter affidavit. Service of notice is complete on the respondent Nos.3 and 4, but no one has entered appearance on their behalf. Viewed in that context, the matter shall be processed for listing before the Hon'ble Court on its own turn.”

Accordingly, Lrs. of deceased Respondent No.1 and Petitioner No. 1 have been taken on record and cause-title has been amended in compliance of Hon'ble Court order dated 17<sup>th</sup> December, 2014.

It is submitted that Mr. Ananga Bhattacharya, counsel for the Petitioners has not filed Vakalatnama/Appearance on behalf of Petitioner No. 1(b) so far.

It is further submitted that there are four Respondent in the matter. Mr. Nitin Kumar Thakur, Advocate has entered Vakalatnama/Appearance on behalf of all the Lrs. of deceased Respondent No. 1 and has filed counter affidavit. Mr. B. V. Balram Das, counsel for Respondent No.2 has also filed counter affidavit. The counter affidavit has been included in SLP paper-books. Service is complete on Respondent No. 3 and 4 through affidavit of service but no one has entered Vakalatnama/Appearance on their behalf so far.

Service is complete.

**SLP(C)..CC No. 9378 OF 2011:**

The matter i.e. SLP CC No.9378 of 2011 was listed before the Hon'ble Court on 6<sup>th</sup> July, 2011, when the Court was pleased to pass the following Order:-

“Tag with SLP(C) No. .... of 2011 (CC 8450 of 2011) (Taj Mohmmmed and Ors. vs. Sultan Mohinudding and Ors.)”

It is submitted that Counsel for the Petitioner has not filed separate application for substitution to bring on record the Lrs. of deceased Petitioner No. 1 and Respondent No. 1 in SLP(C)...CC. 9378 of 2011.

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

Dated this, the 7<sup>th</sup> day of July, 2015.

ASSISTANT REGISTRAR

Copy to:

1. Mr. Ananga Bhattacharya, Advocate.
2. Mr. B.V. Balram Das, Advocate.
3. Mr. Nitin Kumar Thakur, Advocate

ASSISTANT REGISTRAR