

REGISTRAR COURT NO:02

LISTED ON : 29.10.2015

ITEM NO. : 21

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

CIVIL APPEAL No. 4669 OF 2013
WITH
CONTEMPT PETITION (C) Nos. 401 of 2012

G. VENUGOPAL ...APPELLANT

-VERSUS-

T. SUSHEELA ...RESPONDENT

OFFICE REPORT

The matter alongwith Contempt Petition above-mentioned was listed before the Ld. Registrar's Court on 23rd April, 2015, when the following Order was passed:-

“The office report indicates that service of notice is complete on the contemnor Nos. 1 to 3 but no one has entered appearance on their behalf. The learned counsel for the appellant shall within a period of four weeks file the fresh particulars of the contemnor Nos. 4 and he shall also take appropriate steps for the service of notice to him within the same period whereafter no further extension shall be given. Dasti in addition is permitted to be served through the District Court the particulars of which shall be furnished by the learned counsel for the appellant within the period prescribed above.

List again on 12.8.2015.”

Subsequently, the matter alongwith Contempt Petition above-mentioned was listed before the Ld. Registrar's Court on 12th August, 2015, when the following Order was passed:-

“Four weeks time as last chance is given to the Ld.counsel for the petitioner to comply with the terms of the order dated 23.04.2015 of this Court.

List the matter again on 29.10.2015.”

It is submitted that pursuant to the aforesaid order dated 23rd April, 2015/12th August, 2015, Mr. P. Soma Sundaram, Advocate for the Petitioner/Applicant in Contempt Petition (C) No. 401 of 2012 has neither furnished the latest and correct address of the said unserved alleged Contemnor No. 4 nor taken any steps of effecting service on the said

unserved contemnor No. 4 so far with the result notice could not be issued to the said unserved alleged Contemnor.

Service is incomplete on alleged Contemnor No. 4.

It is further submitted that the sole Respondent in the appeal above-mentioned is represented by Mr. P. Soma Sundaram, Advocate.

Service is complete.

In compliance of circulars dated 3rd December, 2014 and 5th December, 2014 original records have been sent back.

It is further submitted that counsel for the parties have not filed statement of case despite this Registry's letter dated 4th June, 2014 and in terms of Order XIX Rule 32(2) Supreme Court Rules, 2013, and its proviso, where a party does not file statement of case within the time prescribed, it shall be presumed that the party does not desire to file statement of case and so far as appellant is concerned, it shall be presumed that the Appellant has adopted list of dates/synopsis as statement of case.

The Appeal alongwith Contempt Petition above-mentioned are listed before the Ld. Registrar's Court with this Office Report for orders.

Dated this, the 28th day of October, 2015.

ASSISTANT REGISTRAR

Copy to:-

1. Mr. Ananga Bhattacharyya, Advocate, Ch. No. 127 (old)
2. Mr. P. Soma Sundaram, Advocate, A-6, Neeti Bagh, New Delhi-49.

ASSISTANT REGISTRAR