

SECTION IV B

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

Listed on 20.1.2015  
Court No.11  
Item No. 1

PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 23639-23641, 33394-99, 18183-201 OF 2012, 236-241, 243-251, 3911, 1332, 1469, 11972-75, 11978-88 of 2013 & 4342-4346 of 2014

With Prayer for Interim Relief

AND

INTERLOCUTORY APPLICATION NO. 7

(Application for intervention in SLP (C) No. 23641/2012)

AND

INTERLOCUTORY APPLICATION NO.6

(Application for exemption from filing Official Translation in SLP (C) No. 23641/2012)

Hoshiar Singh (D) Thr. His Lrs. Etc. ...Petitioner(s)

Versus

State of Punjab & Ors. ...Respondent(s)

OFFICE REPORT

SLP(C) Nos. 23639-23641/2012

The matter above mentioned was listed before the Hon'ble Court on 30.07.2012 when the Court was pleased to pass the following order :-

" Permission to file S.L.P. is granted.  
Delay in filing substitution application is condoned.  
Substitution application is allowed.  
Issue notice."

Service position of each matters as under:-

<b>SLP(C) No.</b>	<b>Total Resp.</b>	<b>V/a</b>	<b>A.D Card Received</b>	<b>Neither nor unserved Cover</b>	<b>A.D</b>	<b>Remarks</b>
23639/12	3	1-3	2	-		Complete C/A filed
23640/12	3	1-3	2	-		Complete C/A filed
23641/12	5	1-5	2,4,5	-		Complete C/A filed

It is submitted that Ms. Jyoti Mendiratta, Advocate has on 28.06.2013 filed an application for intervention

alongwith Annexure A1-A5. Counsel has also filed an application for exemption from filing Official Translation of Annexure A1 to A5. Both the applications were listed before the Hon'ble Court (In Chambers) on 24.01.2014, When the Court was pleased to pass the following Order:-

" Place the applications for intervention along with the Special Leave Petitions."

SLP(C) Nos. 33394-99/2012

The matter above mentioned was listed before the Hon'ble Court on 19.10.2012 when the Court was pleased to pass the following order :-

" Permission to file SLP is granted.  
Delay in filing substitution application is condoned. Application for substitution is allowed.  
Issue notice on delay as well as on SLP.  
Tag with SLP(C) Nos.23639-23641 of 2012."

Service position of each matters is as under:-

SLP(C) No.	Total Resp.	V/a	A.D Card Received	Neither A.D nor unserved Cover	Remarks
33394/12	1-3	1-3	-	-	Complete
33395/12	1-3	1-3	-	-	Complete
33396/12	1-3	1-3	-	-	Complete
33397/12	1-3	1-3	-	-	Complete
33398/12	1-3	1-3	-	-	Complete
33399/12	1-4	1-3	-	-	R-4 is reported to be dead. Counsel for Petitioner has not taken fresh steps to bring the LRs. on record

SLP(C) Nos.18183-201/2012

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

" Permission to file special leave petition is granted.  
Delay in filing substitution

application is allowed.

Substitution application is allowed.

Delay condoned.

Issue notice.

Tag with SLP(C) Nos. 23639-41 of  
2012."

Accordingly, show cause notice has been issued to the following respondent by registered A.D. post on 14.01.2013. The service position is as under:-

<u>Special Leave Petition No.</u>	<u>Total Respondent</u>	<u>Neither A.D. nor Unservd cover</u>	<u>A.D. card</u>	<u>Service Position</u>
18183	3	1	2,3	Incomplete
18184	3	1	2,3	Incomplete
18185	3	1	2,3	Incomplete
18186	3	1	2,3	Incomplete
18187		1	2,3	Incomplete
18188	3	1	2,3	Incomplete
18189	3	1	2,3	Incomplete
18190	3	1	2,3	Incomplete
18191	3	1	2,3	Incomplete
18192	3	1	2,3	Incomplete
18193	3	1	2,3	Incomplete
18194	3	1	2,3	Incomplete
18195	3	1	2,3	Incomplete
18196	3	1	2,3	Incomplete
18197	3	1	2,3	Incomplete
18198	3	1	2,3	Incomplete
18199	6	1	2,3	Incomplete
18200	3	1	2,3	Incomplete
18201	4	1	2,3	Incomplete

It is submitted that unserved covers is respect of respondent Nos. 4 to 6 in SLP 18199/2012 and respondent no. 4 in SLP 18201/2012 have been received back with postal remarks that "recipients have left the village due to flood water of dam in Village Phangota, hence returned to sender". Counsel for the petitioner has not taken any steps so far.

Service of show cause notice is not complete.

SLP(C) Nos. 236-241 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 Special Leave Petition is granted.  
Delay in filing substitution application is allowed.  
Substitution application is allowed.  
Issue notice.  
Tag with SLP(C) Nos. 23639-23641 of 2012."

Service position is under:

SLP(C) No.	Total Resp.	V/a	A.D Card Received	Neither A.D nor unserve d Cover	Remarks
236-41/13	3 Common Resp	All 3	-	-	Complete

SLP(C) Nos. 243-251 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 Special Leave Petition is granted.  
Delay in filing substitution application is allowed.  
Substitution application is allowed.  
Issue notice.  
Tag with SLP(C) Nos. 23639-23641 of 2012."

Service position is as under:-

SLP(C) No.	Total Resp.	V/a	A.D Card Received	Neither A.D nor unserve d Cover	Remarks
243-51/13	3 Common Resp	All 3	-	-	Complete R-4 in 249/13 is deleted vide Chamber judge order 19.9.2013

SLP(C) No. 3911 of 2013

The matter above mentioned was listed before the Hon'ble Court on 14.01.2013 when the Court was pleased to pass the following order :-

" Issue notice on the special leave petition as well as on application for condonation of delay.

Tag with SLP(C)Nos. 23639-23641 of 2012."

Service position as under:-

SLP(C) No.	Total Resp.	V/a	A.D Card Received	Neither A.D nor unserved Cover	Remarks
3911/13	1	-	-	-	Incomplete

SLP(C) No. 1332 of 2013

The matter above mentioned was listed before the Hon'ble Court on 07.01.2013 when the Court was pleased to pass the following order :-

" Permission to file SLP in SLP(C)...CC 22620/2012 is granted. Delay condoned in filing application for substitution. Application for substitution is allowed.

Issue notice on delay as well as on SLPs.

Tag with SLP(C) Nos. 23639-23641 of 2012."

Service position as under:-

SLP(C) No.	Total Resp.	V/a	A.D Card Received	Neither A.D nor unserved Cover	Remarks
1332/13	3	3	-	-	Complete

SLP(C) No. 1469 of 2013

The matter above mentioned was listed before the Hon'ble Court on 07.01.2013 when the Court was pleased to pass the following order :-

" Permission to file SLP in SLP(C)... CC 22620/2012 is granted. Delay condoned in filing application for substitution. Application for substitution is allowed.

Issue notice on delay as well as on SLPs.

Tag with SLP(C) Nos. 23639-23641 of 2012."

Service position as under:-

SLP(C) No.	Total Resp.	V/a	A.D Card Received	Neither A.D nor unserve d Cover	Remarks
1469/13	3	3	-	-	Complete

SLP(C) Nos. 11972-11975 of 2013

The matter above mentioned was listed before the Hon'ble Court on 15.03.2013 when the Court was pleased to pass the following order :-

"Delay condoned.

Issue notice.

Tag with SLP(C) Nos. 23639-23641 of 2012."

Service position as under:-

SLP(C) No.	Total Resp.	V/a	A.D Card Received	Neither A.D nor unserve d Cover	Remarks
11972-75/13	4	-	-	1-4	Incomplete

SLP (C) No. 11978-88/13

The matters above mentioned were listed before the Hon'ble Court on 15.03.2014, when the court was pleased to pass the following order:-

" Delay condoned.

Issue notice.

Tag with SLP(C)Nos.23639-23641 of 2012."

Accordingly, show cause notice was issued to all the 263 respondents through registered A.D. Post.

Service position is as under:-

SLP No	Total resps	A.D Cards received	Neither AD Card nor uns.	V/A filed	Remarks
11978	8	1	4-7	1-3 & 8	Incomplete

11979	11		3-7, 9-11	1, 2, 8	Incomplete
11980	R-1(i) to (iii)			R-1(i) to (iii)	complete
11981	12	2-12	1		Incomplete
11982	178	1-17, 32-37, 42, 49, 54, 67-70, 73-76, 81, 90-94, 96-100, 104-111, 113, 115-122, 126-130, 141-152, 161-162, 168-174	18-31, 38-41, 43-48, 50-53, 55-66, 71-72, 77-80, 82-89, 95, 101-103, 112, 114, 123- 125, 131-140, 153-160,163-16 7, 175-178	14, 22-24, 80, 105, 140	Incomplete
11983	R-1(i), R-2(i) to (iii), 3, R-4(i) to (iv), 5-10		R-1(i),3, 5-10,	R-2(i) to (iii), R-4(i) to (iv)	Incomplete
11984	21	1-5, 8, 18	7,9-17,19-21	1-6 & 8	Incomplete
11985	3	1-3			Complete/no appearance
11986	R-1(i) & (ii), R-2(i) & (ii), 3-5	R-1(i), R-2(i) & (ii), 3,5	R-1(ii)		Incomplete
11987	2			Both	Complete
11988	3	1-3		2 & 3	Incomplete

It is submitted that Mr. Kuldeep Singh, Advocate for the petitioner has on 13.10.2014 filed an application for stay with affidavit alongwith Annexures A-1 to A-12 and has on 15.10.2014 filed an application seeking permission to place on record additional grounds with affidavit alongwith Annexures P-1 to P-6. The same has been registered as I.A Nos. 12-22 and 23-33 respectively. (Copies of the same are included in the SLP Paper Books).

It is further submitted that Mr. Kuldip Singh, Advocate for the Petitioner has on 27.08.2014 filed a defective application for substituted service and he has not cured the defects despite this Registry's letter dated 10.09.2014 and 13.01.2015.

It is further submitted that Mr. Balbir Singh Gupta, Advocate has on 20.11.2014 filed Vakalatnama & Memo of Appearance on behalf of Respondent Nos. 1, 2, 3 and 8 in SLP (C) NO. 11978/2013, Respondent Nos. 1, 2 and 8 in SLP (C) NO. 11979/2013, Respondent Nos. 1(i) to (iii) in SLP (C) NO. 11980/2013, Respondent No. 14, 22 to 24, 80, 105 and 140 in SLP (C) NO. 11981/2013, Respondent No. 2(i), 2(ii),2(iii),4(i) to (iv) in SLP (C) NO. 11983, Respondent Nos. 1 to 6 and 8 in SLP (C) NO. 11984/2013 and Respondent Nos. 2 & 3 in SLP (C) NO. 11988/2013.

Service of show cause notice is incomplete.

SLP(C) Nos. 4342-4346 of 2014

The matter above mentioned was listed before the Hon'ble Court on 07.02.2014 when the Court was pleased to pass the following order :-

" Delay condoned.  
Issue notice.  
Application for deletion of the name of respondent No. 2 is allowed at the risk of the petitioner. Cause title be amended accordingly.  
List and tag with SLP(C) Nos. 11978-11988 of 2013."

Accordingly, show cause notice to all the respondents was issued through registered A.D. Post on 02.04.2014. The name of respondent no. 2 in SLP (C) NO. 4343 of 2014 is deleted from the array of parties pursuant to Hon'ble Court's Order dated 07.02.2014. Cause title has been amended and is included in the SLP Paper Books.

Service position of each matter is as follows;

SLP Nos.	Total Resp	V/A	A.D. Card	Unserved Resp.	Remarks
4342/14	4	-	-	1-4	Incomplete

4343/14	4	-	1,3,4	-	R-2 deleted, Complete
4344/14	3	-	-	1-3	Incomplete
4345/14	1	-	-	1	Incomplete
4346/14	2	-	-	1-2	Incomplete

The matters are listed before the Id.Registrar with this office report.

Dated this the 19th day of January, 2015.

ASSISTANT REGISTRAR

Copy to: Mr. Balbir Singh Gupta, Adv.

Mr. Jagjit Singh Chhabra, Adv

ASSISTANT REGISTRAR

Haokip