

LISTED ON : 13.01.2014
COURT NO.: 12
ITEM NO. : 101

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

CIVIL APPEAL NOS. 4731-4732, 4733, 4734-4735, 4736, 4837-4838, 6536-6537, 1196-1197, 7105-7106 & 4276-4277 OF 2010 & SLP (C) NOS. 23864-23865 OF 2011

WITH

INTERLOCUTORY APPLICATION NOS. .../2015 in CA Nos. 4731-4732/2010

(Application for restoration of Civil Appeal against Respondent No. 26 in CA No. 4731/2010 & Respondent No. 34 in CA No. 4732/2010)

AND

INTERLOCUTORY APPLICATION NOS. .../2015 in CA Nos. 4731-4732/2010

(Application for condonation of delay in filing the restoration)

AND

INTERLOCUTORY APPLICATION NOS. .../2015 in CA Nos. 4734-4735/2010

(Application for permission to file additional documents)

AND

INTERLOCUTORY APPLICATION NO. 6 in CA No. 4736/2010

(Application for permission to file additional documents)

AND

INTERLOCUTORY APPLICATION NOS.7-8/2015 in CA Nos. 4837-4838/2010

(Application for dispensed with service on Respondent filed on 08.08.2014 by Mr. Abhijit Sengupta, Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 9-10/2015 in CA Nos. 4837-4838/2010

(Application for dispensed with service with service on unserved Respondent filed on 10.12.2014 by Mr. Abhijit Sengupta, Advocate)

AND

(Letter of Abhijit Sengupta, Advocate for the Appellant for dasti service)

AND

INTERLOCUTORY APPLICATION NO. 4 in CA Nos. 6536-6537/2010

(Application for compromise in C.A. No. 6536 of 2010)

AND

INTERLOCUTORY APPLICATION NO. 6

(Application for Impleadment filed by Ms. T. Anamika, Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 7-8

(Application for Impleadment filed by Mr. Ejaz Maqbool, Advocate)

IN

CIVIL APPEAL NOS.6536-6537 OF 2010

WITH

INTERLOCUTORY APPLICATION No. _____

(UNDER SECTION 151 CPC filed on 04.04.2014 by Dr. Kailash Chand, Advocate)

AND

INTERLOCUTORY APPLICATION Nos. 3-4 in CA Nos.1196-1197/2010

(Permission to file additional documents)

T. RAVI & ANR. ETC.

...APPELLANTS

-VERSUS -

B. CHINNA NARASIMHA & ORS. ETC.

...RESPONDENTS

OFFICE REPORT

It is submitted to the Hon'ble Court that I.A. Nos. 4 & 6 in Civil Appeal Nos. 6536-6537 of 2010 before the Hon'ble Court on 13th October, 2014, when the Hon'ble Court was pleased to pass the following Order:-

“Parties are directed to settle the matter out of the Court. In view of this, hearing is adjourned.

List the matter in the 2nd week of January, 2015, along with the main matter.”

It is further submitted that status of the matters and connected Civil Appeals are as under:-

Civil Appeal Nos. 4731-4732 of 2010

These are the appeals by Special Leave filed against the Judgment and Order dated 15.04.2010 of the High Court of Judicature, Andhra Pradesh at Hyderabad in SA No. 410 and 411 of 2008.

The office Report on default dated 30th October, 2014 in appeals above-mentioned were listed before the Hon'ble Judge-in-chamber on 10th November, 2014, when the Hon'ble Court was pleased to pass the following Order:-

“Learned counsel for the appellant is not present. Learned counsel for Respondent Nos. 1 and 3 are present.

Application to bring the LRs of Respondent No.26 in Civil Appeal No.4731 of 2010 and Respondent No.34 in Civil Appeal Nos.4732 of 2010 is filed along with an application for condonation of delay in filing the application for substitution. But the application for substitution is not maintainable without an application for setting aside the abatement.

Hence, the appeals against Respondent No.26 in Civil Appeal No.4731 of 2010 and Respondent No.34 in Civil Appeal No.3742 of 2010 are dismissed.

Post the matter before an appropriate Bench for appropriate orders.”

It is submitted to the Hon'ble Court that M/s. Lawyer's Knit & Co., Advocates has on 5th January, 2015 filed an application for restoration/recalling the order dated 10th November, 2014 passed in I.A. Nos. 13-14/2014 alongwith an application for condonation of delay in filing

application for restoration/recalling of order. The same have not been registered as they have already given No objection on behalf of the Applicant Mr. B. Y. Kulkarni, Advocate and the said application is placed below.

It is submitted that there are 98 respondents in each of Appeals above-mentioned. Common respondent nos.1 and 70 in C.A. No. 4731 of 2010 and Respondent 65 and 15 in C.A. 4732 of 2010 are represented by Mr. Uttara Babbar, Advocate and Respondent Nos. 2 to 7 in C.A. No. 4731 of 2010 and Respondent Nos. 66 to 71 in C.A. No. 4732 of 2010 are represented by Mrs. Rekha Pandey, Advocate. Respondent nos. 8, 36 to 38 in C.A. No. 4731 of 2010 and Respondent nos. 16, 44 to 46 in C.A. No. 4732 of 2010 are represented by Mrs. Anjani Aiyagari, Advocate. Common respondent no. 72 in both the appeals is represented by Mr. B K Satija, Advocate. Common respondent Nos. 14 to 17 in C.A. No. 4731 of 2010 and of Respondent nos. 22 to 25 in C.A. No. 4732 of 2010 are represented by Mr. A. Venyagam Balan, Advocate. Respondent nos. 28 to 30 in C.A. No. 4731 of 2010 and Respondent nos. 36 to 38 in C.A. No. 4732 of 2010 are represented by Mr. Abhijit Sen Gupta, Advocate.

Common Respondent No. 2 in CA No. 4731/2010 & 66 in 4732/2010, Respondent No. 3 in CA No. 4731/2010 & 67 in 4732/2010, Respondent No. 4 in CA No. 4731/2010 & 68 in 4732/2010, Respondent No. 5 in CA No. 4731/2010 & 69 in 4732/2010, Respondent No. 6 in CA No. 4731/2010 & 70 in 4732/2010, Respondent No. 7 in C.A. No. 4731/2010 & 71 in 4732 of 2010, Respondent No. 9 in CA No. 4731/2010 & 17 in 4732/2010, Respondent No. 24 in CA No.4731/2010 & 32 in 4732/2010, Respondent No. 31 in CA No. 4731/2010 & 39 in 4732/2010, Respondent No. 32 in CA No. 4731/2010 & 40 in 4732/2010, Respondent No. 40 in CA No. 4731/2010 & 48 in 4837/2010, Respondent No. 41 in CA No. 4731/2010 & 49 in 4732/2010, Respondent No. 43 in CA No. 4731/2010 & 51 in 4732/2010, Respondent No. 44 in CA No. 4731/2010 & 52 in 4732/2010, Respondent No. 45 in CA No. 4731/2010 & 53 in 4732/2010, Re4731spondent No. 46 in CA No. 4731/2010 & 54 in 4732/2010, Respondent No. 47 in C.A. No.4731/2010 and 55 in C.A. No. 4732/2010,

Respondent No. 48 in C.A. No.4731/2010 and 56 in C.A. No. 4732 of 2010, Respondent No. 58 in CA No.4731/2010 & 3 in 4732/2010, Respondent no. 59 in C.A. No. 4731/2010 and 4 in C.A. No. 4732/2010, Respondent no. 60 in C.A. No. 4731/2010 and 5 in C.A. No. 4732/2010, Respondent no. 63 in C.A. No. 4731/2010 and 8 in C.A. No 4732/2010 Respondent no. 67 in C.A. No. 4731/2010 and 12 in C.A. No. 4732/2010, Respondent no. 68 in C.A. No. 4731/2010 and 13 in C.A. No. 4732/2010, Respondent no. 69 in C.A. No. 4731/2010 and 14 in C.A. No 4732/2010 Respondent no. 76 in C.A. No. 4731/2010 and 76 in C.A. No. 4732/2010, Respondent no. 80 in C.A. No. 4731/2010 and 96 in C.A. No. 4732/2010, Respondent no. 81 in C.A. No. 4731/2010 and 97 in C.A. No 4732/2010, Respondent no. 83 in C.A. No. 4731/2010 and 9 in C.A. No. 4732/2010, Respondent no. 84 in C.A. No. 4731/2010 and Respondent no. 80 in C.A. No. 4732/2010, Respondent no. 85 in C.A. No. 4731 of 2010 and 81 in C.A. 4732/2010 and respondent no. 86 in C.A. No. 4731/2010 and 82 in C.A. No. 4732/2010, Respondent no. 87 in C.A. No. 4731/2010 and 83 in C.A. No. 4732/2010, Respondent no. 88 in C.A. No. 4731/2010 and 84 in C.A. No. 4732/2010, Respondent no. 89 in C.A. No. 4731/2010 and 85 in in C.A. No. 4732/2010, Respondent no. 90 in C.A. No. 4731/2010 and 86 in C.A. No. 4732/2010, Respondent no. 72 in C.A. No. 4731/2010 and 88 in C.A. No. 4732/2010, Respondent no. 93 in C.A. No. 4731/2010 and 89 in C.A. No. 4732/2010 and Respondent no. 94 in C.A. No. 4731/2010 and 90 in C.A. No. 4732/2010. Respondent no. 96 in C.A. no. 4731/2010 and 92 in C.A. no. 4732/2010, Respondent no. 97 in C.A. No. 4731/2010 and 93 in C.A. No. 4732/2010 and Respondent no. 98 in C.A. No. 4731/2010 and 94 in C.A. No. 4732/2010 have been served with the notice but they have not entered appearance before this Court so far.

It is also submitted that counsel for the petitioner has on 23rd September, 2014 filed affidavit of service with proof of publication in respect of following Respondent Nos. 12, 13, 18, 20 to 22, 25 to 27, 35, 42, 49-52, 54, 57, 61-62, 64-66, 73 and 75, 77 to 79, 82, 91 and 95 in C.A. No. 4731 of 2010 and Respondent Nos. 2, 6, 7, 9 to 11, 20-21, 26, 28-30, 33 to 35, 43, 50, 57 to 60, 62, 73, 75, 77, 78, 87, 91, 95 and 98 in C.A. No. 4732 of 2010. But no one has entered appearance so far.

The name of Respondent nos. 10, 11, 19, 23, 33, 34, 39, 53, 55 and 56 in C.A. No. 4731/2010 and Respondent nos. 18, 19, 27, 31, 41, 42, 47, 61, 63 & 1 in C.A. No. 4732/2010 have been deleted from array of parties vide Court's order dated 24th February, 2011.

The name of common Respondent No. 74 in CA No. 4731/2010 & 4732 of 2012 has been deleted vide Court's Order dated 21st July, 2014.

It is lastly submitted that appeal against Respondent No. 26 in CA No. 4731 and Respondent No. 34 in 4732 of 2010 has been dismissed vide Court's Order dated 10th November, 2014.

Service is complete.

Civil Appeal No. 4733 of 2010

It is submitted to the Hon'ble Court that there are 113 Respondent in the Appeal. Respondent Nos. 32, 33, 34, 35 are represented by Mr. A. V. Venayagam Balan, Advocate and Respondent No. 79 is represented by Ms. Rekha Pandey, Advocate. Respondent nos. 4 to 6, 10, 14-17, 110 and 111 have been served with the notice but they have not entered appearance before this Court so far.

It is further submitted that the name of Respondent nos. 1, 9, 19 to 29, 41, 44, 45 47 and 113 have been deleted from the array of parties vide Hon'ble Judge in Chambers order dated 18.02.2011, 8.8.2014 and service of notice on Respondent nos. 18, 30-40, 42, 43, 48-51, 54 to 72, 76, 77, 80-86, 88 to 108 have been dispensed with. Notice of service on Respondent No. 46 has also been dispensed with vide Ld. Registrar Order dated 25th April, 2014.

Service is complete.

Civil Appeal Nos. 4734-4735 of 2010

These are the appeals by Special Leave filed against the Judgment and Order dated 15th April, 2010 of the High Court of Judicature, Andhra Pradesh at Hyderabad in Second Appeal SA Nos. 410 of 2007 and 411 of 2008.

It is submitted that there are 99 Respondents in each of the appeals. Common respondent no.1, 72 in C.A. No.4734 of 2010 and respondent no.15, 67 in C.A. 4735 of 2010 are represented by Mrs. Rekha Pandey, Advocate. Respondent Nos.14 to 17 in C.A. No.4734 of 2010, Respondent

nos.22 to 25 in C.A. No.4735 of 2010 are represented by Mr. A. Venyagam Balan, Advocate. Respondent No. 26A to 26F in CA No. 4734/2010 and Respondent No. 34A to 34F are represented by Mr. T.V. Ratnam, Advocate.

Respondent No. 2 in CA No.4734/2010 & 68 in 4735/2010, Respondent No. 3 in CA No.4734/2010 & 69 in 4735/2010, Respondent No. 4 in CA No.4734/2010 & 70 in 4735/2010, Respondent No. 5 in CA No.4734/2010 & 71 in 4735/2010, Respondent No. 6 in CA No.4734/2010 & 72 in 4735/2010, Respondent No. 7 in C.A. No.4734/2010 & 73 in 4735 of 2010, Respondent No. 32 in CA No.4734/2010 & 40 in 4735/2010, Respondent No. 33 in CA No.4734/2010 & 41 in 4735/2010, Respondent No. 60 in CA No. 4734/2010 & 3 in 4735/2010, Respondent No. 61 in CA No. 4734/2010 & 4 in 4735/2010, Respondent No. 62 in CA No. 4734/2010 & 5 in 4735/2010, Respondent No. 65 in CA No. 4734/2010 & 8 in 4735/2010, Respondent No. 69 in CA No. 4734/2010 & 12 in 4735/2010, Respondent No. 70 in CA No.4734/2010 & 13 in 4735/2010, Respondent No. 71 in CA No.4734/2010 & 14 in 4735/2010, Respondent No. 78 in CA No.4734/2010 & 4735/2010, Respondent No. 82 in C.A. No.4734/2010, Respondent No. 83 in C.A. No.4734/2010, Respondent No. 85 in CA No.4734/2010 & 81 in 4735/2010 have been served with the notice but they have not entered appearance before this Court so far.

It is further submitted that the name of Respondent Nos.8 to 13, 18 to 25, 27 to 31, 34 to 52, 56, 57, 73, 74, 76 & 86 to 99 In C.A. No. 4734/2010 and Respondent Nos.16 to 21, 26 to 33, 35 to 39, 42 to 60, 64 to 66, 74, 76 & 82 to 99 in C.A. NO. 4735/2010 have been deleted from the array of parties vide Hon'ble Judge-in-Chambers Order dated 18th February, 2011 and 11th July, 2014.

It is also submitted that service is complete on common respondent nos. Respondent No. 53 in CA No.4734/2010 & 61 in 4735/2010, Respondent No. 54 in CA No.4734/2010 & 62 in 4735/2010, Respondent No. 55 in CA No.4734/2010 & 63 in 4735/2010, Respondent No.58 in C.A. 4734/2010 & Respondent No.1 in C.A. 4735/2010, Respondent No. 59 in CA No. 4734/2010 & 2 in 4735/2010, Respondent No. 63 in CA No. 4734/2010 & 6 in 4735/2010, Respondent No. 64 in CA No. 4734/2010 & 7 in 4735/2010, Respondent No. 66 in CA No. 4734/2010 & 9 in 4735/2010,

Respondent No. 67 in CA No. 4734/2010 & 10 in 4735/2010, Respondent No. 68 in CA No. 4734/2010 & 11 in 4735/2010, Respondent No. 75 CA No.4734/2010 & 4735/2010, Respondent No. 77 in CA No.4734/2010 & 4735/2010, Respondent No. 79 in CA No. 4734/2010 & 4735/2010, Respondent No. 80 in CA No.4734/2010 & 4735/2010, Respondent No.81 in C.A. No.4734 of 2010, Respondent No.84 in C.A. No.4734/2010 by way of publication as counsel has filed affidavit of service in respect of above said Respondents but no one has entered appearance on their behalf so far.

Service is complete.

It is lastly submitted that both the parties have not filed their statement of case 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.

Civil Appeal No. 4736 of 2010

The office report in default in the matter above-mentioned was listed before the Hon'ble Court (IN CHAMBERS) on 3rd December, 2014, when the Hon'ble Court was pleased to pass the following order:-

“Learned counsel for the appellant prays for and is granted four weeks' time as final opportunity to comply with the office report dated 10.11.2014.”

It is submitted to the Hon'ble Court that Counsel for the appellant has filed an application for deletion of the name of respondent nos. 21 and 68 from the array of parties. The application has been registered as I.A. No. 6 and placed before the Hon'ble Court for orders.

It is further submitted that Counsel for the appellant has not furnished latest and correct address of unserved Respondent no. 64 so far; and Office of the Jr. Civil Judge, Alampur Mahababnagar District, A.P vide its letter dated 14th June, 2011 has reported that Respondent No. 89 (namely P. Patlabhi Ranaiah) died. But counsel for the Appellant has not taken any steps in respect of the above said Respondent so far.

There are 113 Respondents. Respondent Nos. 1 and 85 are represented by Ms. Rekha Pandey, Advocate. Respondent Nos. 22 to 25 are represented by Mr. A Venayaga Balan, Advocate. Respondent Nos. 61, 63, 65, 88, 90-93 & 98 are represented by Mr. Manoj C. Misra, Advocate. Respondent Nos. 38 & 40 are represented by Ms. T. Anamika, Advocate, Respondent Nos. 39 & 46 are represented by M/s. Lawyer's Knit & Co., Advocate

Certificate of service in respect of Respondent Nos. 2 to 7, 20, 42, 43, 33, 36, 91, 99, 100 to 105, 108 and 109 have been received from High Court but no one has entered appearance on their behalf so far.

It is submitted that name of Respondent Nos. 9-15, 16-19, 31-32, 34, 35, 37, 69 and 77 have been deleted and service of notice on Respondent Nos. 8, 26-30, 41, 44-45, 47-62, 66, 67, 70-76, 78-87, 94-97, 106 -107 and 110 to 113 is dispense with vide Court's order dated 18th February, 2011 passed in I.A Nos. 4 and 5.

Service is incomplete on Respondent No. 64 and 89.

Civil Appeal Nos. 4837-4838 OF 2010

These are the appeals by Special Leave filed against the Judgment and Order dated 15.04.2010 of the High Court of Judicature, Andhra Pradesh at Hyderabad in SA No. 410 of 2008 and SA No. 411 of 2008.

It is submitted that Civil Appeal above-mentioned were listed before the Registrar Court on 30th April, 2014 & 17th September, 2014, when he was pleased to pass the following order:

30/04/2014:

“Ld.counsel for the petitioners is present. He seeks and is given four weeks time as last chance for filing the fresh particulars and taking appropriate steps for the service of notice to the unserved respondents. The served respondents shall be at liberty to file the counter affidavit within a period of four weeks in case they intend to do so.

Await the return of the service of notice already issued to the unserved respondents.

List again on 21.08.2014.”

17/09/2014:

“Civil Appeal Nos.4837-4838/2010

The office report states that although by order dated 30.04.2014 of this Court, four weeks time as last chance was given to the Ld.counsel for the petitioners to file the fresh

particulars and to take appropriate steps for the service of notice to the unserved respondents, yet he has not done the needful so far.

Viewed in that context, the matter shall be processed for listing before the Hon'ble Judge in Chambers for further future directions.

Await orders and list thereafter.

Civil Appeal No.6536-6537/2010

The office report indicates that Ms.t.Anamika, Ld.advocate has on 8.08.2014 filed an application for impleadment as party respondent in the matter which has been registered as I.A.No.6. The said I.A. is directed to be listed before the Hon'ble Court on 13.10.2014. List accordingly.

Civil Appeal No.1196-1197/2012

Three weeks time as last chance is given to the Ld.counsel for the appellatant to comply with the terms of the office report.

List again on 4.12.2014.”

It is submitted that Counsel for the Appellant has on 8th August, 2014 filed an application for dispensing with serving of notice on common Respondent Nos. 13 in CA No. 4837 of 2010 and Respondent No. 21 in CA No. 4838 of 2010, Respondent No. 19 in CA No. 4837 of 2010 and Respondent No. 27 in CA No. 4838 of 2010, Respondent No. 20 in CA No. 4837 of 2010 and Respondent No. 28 in CA No. 4838 of 2010, Respondent No. 62 in CA No. 4837 of 2010 and Respondent No. 10 in CA No. 4838 of 2010, Respondent No. 63 in CA No. 4837 of 2010 and Respondent No. 11 in CA No. 4838 of 2010, Respondent No. 68 in CA No. 4837 of 2010 and Respondent No. 61 in CA No. 4838 of 2010 but the said application is barred by time by 72 days and counsel for the Appellant has not filed an application for condonation of delay in filing the said application vide Registrar's Court Order dated 30th April, 2014.

It is also submitted that counsel for the Appellant has filed an application for dispensed with service of notice on common Respondent No. 36 in CA No. 4837 of 2010 and Respondent No. 44 in CA No. 4838 of 2010. The same has been placed before the Hon'ble Court kind perusal

As far as, taken steps in respect of common Respondent No. 36 in CA No. 4837 of 2010 and Respondent No. 44 in CA No. 4838 of 2010, Respondent No. 53 in CA No. 4837 of 2010 and Respondent No. 1 in CA 4838 of 2010, Respondent No. 61 in CA No. 4837 of 2010 and Respondent No. 9 in CA No. 4838 of 2010 are concerned, counsel for the appellatant has

on 1st December, 2014 filed a letter requesting therein for issue of dasti notices for affecting the service to the above said Respondent through their GPA Holder.

Service Status:

It is further submitted that there are 84 respondents in C.A. No. 4837 of 2010 and 105 respondents in C.A. No. 4838 of 2010. Common respondent no.1 in C.A. No.4837 of 2010 and respondent no. 62 in C.A. 4838 of 2010 is represented by Mrs. Rekha Pandey, Advocate. Common respondent Nos. 14 to 17 in C.A. No. 4837 of 2010 and Respondent nos. 22, 23, 24 and 25 in C.A. No. 4838 of 2010 are represented by Mr. A. Venyagam Balan, Advocate. Common respondent nos. 46, 48, 50, 72 and 80 in C.A. No. 4837 of 2010 and respondent nos. 54, 56, 58, 73 and 76 in C.A. No. 4838 of 2010 are represented by Mr. Manoj C Mishra, Advocate. Respondent No. 39 in CA No. 4837 of 2010 and Respondent No. 47 in CA No. 4838 of 2010 is represented by Mr. Mustaq Ahmed, Advocate. Common Respondent No. 28 and Respondent No. 31 in CA No. 4837 of 2010 and Respondent No. 36 and 39 in CA No. 4838 of 2010 are represented by M/s. Lawyer's Knit & Co.,. Advocates.

Respondent No. 2 in CA No. 4837/2010 & 63 in 4838/2010, Respondent No. 3 in CA No. 4837/2010 & 64 in 4838/2010, Respondent No. 5 in CA No. 4837/2010 & 66 in 4738/2010, Respondent No. 6 in CA No. 4837/2010 & 67 in 4838/2010, Respondent No. 7 in CA No. 4837/2010 & 68 in 4838/2010, Respondent No. 8 in C.A. No. 4837/2010 & 16 in 4838 of 2010, Respondent No. 29 in CA No.4837/2010 & 37 in 4837/2010, Respondent No. 30 in CA No. 4837/2010 & 38 in 4838/2010, Respondent No. 42 in CA No. 4838/2010 & 34 in 4837/2010, Respondent No. 45 in CA No. 4838/2010 & 37 in 4838/2010, Respondent No. 46 in CA No. 4838/2010 & 38 in 4837/2010, Respondent No. 48 in CA No.4838/2010 & 40 in 4837/2010, Respondent No. 49 in CA No. 4838/2010 & 41 in 4837/2010, Respondent No. 50 in CA No. 4838/2010 & 42 in 4837/2010, Respondent No. 51 in C.A. No.4838/2010 and 43 in C.A. No. 4837/2010, Respondent No. 52 in C.A. No.4838/2010 and 44 in C.A. No. 4837 of 2010, Respondent No. 53 in CA No.4838/2010 & 45 in 4837/2010, Respondent no. 3 in C.A. No. 4838/2010 and 55 in C.A. No. 4837/2010, Respondent no. 4 in C.A. No.

4838/2010 and 56 in C.A. No. 4837/2010, Respondent no. 5 in C.A. No. 4838/2010 and 57 in C.A. No 4837/2010 Respondent no. 8 in C.A. No. 4838/2010 and 60 in C.A. No. 4837/2010, Respondent no. 12 in C.A. No. 4838/2010 and 64 in C.A. No. 4837/2010, Respondent no. 13 in C.A. No. 4838/2010 and 65 in C.A. No 4837/2010 Respondent no. 14 in C.A. No. 4838/2010 and 66 in C.A. No. 4837/2010, Respondent no. 15 in C.A. No. 4838/2010 and 67 in C.A. No. 4837/2010, Respondent no. 69 in C.A. No. 4838/2010 and C.A. No 4837/2010, Respondent no. 93 in C.A. No. 4838/2010 and 77 in C.A. No. 4837/2010, Respondent no. 94 in C.A. No. 4838/2010 Respondent No. 78 in CA No. 4837 of 2010, Respondent no. 77 in C.A. No. 4838/2010 and 81 in C.A. No. 4837 of 2010, respondent no. 78 in C.A. 4838/2010 and respondent no. 72 in C.A. No. 4837/2010, Respondent no. 79 in C.A. No. 4838/2010 and respondent no. 83 in C.A. No. 4837/2010, Respondent no. 80 in C.A. No. 4838/2010 and respondent no. 84 in C.A. No. 4837/2010, Respondent no. 81 in C.A. No. 4838/2010 and respondent no. 85 in C.A. No. 4837/2010, Respondent no. 82 and 96 in C.A. No. 4838/2010, Respondent no. 83 and 97 in C.A. No. 4838/2010, Respondent nos. 85 and 99 in C.A. No. 4838/2010, Respondent nos. 86 and 100 in C.A. No. 4838/2010, Respondent nos. 87 and 101 in C.A. No. 4838/2010, Respondent nos. 89 and 103 in C.A. No. 4838/2010, Respondent nos. 90 and 104 in C.A. No. 4838/2010 and Respondent nos. 91 and 105 in C.A. No. 4838/2010 have been served with the notice but they have not entered appearance before this Court so far.

It is lastly submitted that service is complete through paper publication on Respondent No. 9 in CA No.4837/2010 & 17 in 4838/2010, Respondent No. 10 in CA No.4837/2010 & 18 in 4838/2010, Respondent No. 11 in CA No.4837/2010 & 19 in 4838/2010, Respondent No. 12 in CA No. 4837/2010 & 20 in 4838/2010, Respondent No. 18 in CA No.4837/2010 & 26 in 4838/2010, Respondent No. 21 in CA No.4837/2010 & 29 in 4838/2010, Respondent No. 22 in CA No.4837/2010 & 30 in 4838/2010, Respondent No. 23 in CA No.4837/2010 & 31 in 4838/2010, Respondent No. 24 in CA No.4837/2010 & 32 in 4838/2010, Respondent No. 25 in CA No.4837/2010 & 33 in 4838/2010, Respondent No. 26 in CA No.4837/2010 & 34 in 4838/2010, Respondent No. 27 in CA No.4837/2010 & 35 in

4838/2010, Respondent No. 40 in CA No.4838/2010 & 32 in 4837/2010, Respondent No. 41 in CA No.4838/2010 & 33 in 4837/2010, Respondent No. 43 in CA No.4838/2010 & 38 in 4837/2010, Respondent No. 49 in CA No.4838/2010 & 41 in 4837/2010, Respondent No. 55 in CA No.4838/2010 & 47 in 4837/2010, Respondent No. 57 in CA No.4838/2010 & 49 in 4837/2010, Respondent No. 59 in CA No.4838/2010 & 51 in 4837/2010, Respondent No. 60 in CA No.4838/2010 & 52 in 4837/2010, Respondent No. 2 in CA No.4838/2010 & 54 in 4837/2010, Respondent No. 6 in CA No.4838/2010 & 58 in 4837/2010, Respondent No. 7 in CA No.4838/2010 & 59 in 4837/2010, Respondent No. 92 in CA No.4838/2010 & 76 in 4837/2010, Respondent No. 95 in CA No.4838/2010 & 79 in 4837/2010, Respondent No. 84 and 98 in CA No.4838/2010, Respondent No. 88 and 102 in CA No.4838/2010 but no one has entered appearance on their behalf so far.

Service is incomplete on common Respondent No. 36 in CA No. 4837 of 2010 and Respondent No. 44 in CA No. 4838 of 2010, Respondent No. 53 in CA No. 4837 of 2010 and Respondent No. 1 in CA No. 4838 of 2010, Respondent No. 61 in CA No. 4837 of 2010 and Respondent No. 9 in CA No. 4838 of 2010.

CIVIL APPEAL NOS. 6536-6537 of 2010

These are the appeals by Special Leave filed against the Judgment and Order dated 15.04.2010 of the High Court of Judicature, Andhra Pradesh at Hyderabad in SA No. 410 of 2008 and SA No. 411 of 2008.

The I.A. No. 4 in the matter above-mentioned i.e. application for Recording of Compromise in C.A. No. 6536 of 2010 was listed before the Court on 4th April, 2014, 17th April, 2014, 4th July, 2014, 4th August, 2014, 8th September, 2014 and 13th October, 2014 , when the Hon'ble Court was pleased to pass the following order:

04/04/2014:

“Ms. Uttara Babbar, learned counsel, has appeared and submitted that she has instructions to appear on behalf of Respondent No. 1 and shall file Vakalatnama within a week.

She is permitted to do so.

List on 17.04.2014.

If there is any change in the Deed of

Compromise, it would be open to the parties to place on record the corrected Deed of Compromise before the next date of hearing.”

17/04/2014:

“List on 04.07.2014 so as to enable the learned counsel for the appellants to place on record the original Deed of Compromise. It shall be informed to the Court whether all the parties have entered into the compromise and if someone has not entered into the compromise, it shall be informed to the Court whether the person not being a party to the Deed of Compromise is having any interest in the property.”

04/07/2014:

“List on 04.08.2014 so as to enable the learned counsel appearing for the parties to place on record the relevant documents.”

04/08/2014:

“It has been submitted by the learned counsel for the parties that the matter could not be compromised completely, but there is some compromise and the deed of partial compromise has already been kept on record.

List on 08.09.2014 so as to enable the parties to find out whether it is possible to have complete compromise and if not, the matter shall be heard on merits on that date.”

08/09/2014:

“List on 13th October, 2014.”

13/10/2014:

“Parties are directed to settle the matter out of the Court. In view of this, hearing is adjourned.

List the matter in the 2nd week of January, 2015, along with the main matter”

It is submitted to Hon'ble Court that Mr. B. Ramana Murthy, Counsel for the Respondent Nos. 87 to 127, has on 25th July, 2014 filed an affidavit alongwith original deed of compromise. The same is placed for Hon'ble Court's Kind perusal.

It is further submitted that Ms. T. Anamika, Advocate has on 8th August, 2014 filed an application for impleadment as party Respondent in the matter above-mentioned. The application has been registered as IA No. 6 and is placed for the Hon'ble Court's kind perusal.

It is also submitted to the Hon'ble Court that Dr. Kailash Chand, Advocate for the Appellant has on 4th April, 2014 filed an application under Section 151 CPC to delete parties at Sl. Nos. 8 to 10 in the deed of compromise dated 16th May, 2010 and to add the name of Mrs. Kanatireddy Sabitha in the said deed.

It is also submitted that name of Kanatireddy Samitha is shown in the application as well as in deed of compromise but the same is not shown in Civil Appeal. However, the same is circulated before the Hon'ble Court for kind perusal.

Service is complete on I.A. No. 4.

It is further submitted that Mr. Seshalapa Sai Bandaru, Advocate has on 9th October, 2014 filed an application for impleadment as party Respondent in both the Civil Appeals. Mr. Ejaz Maqbool, Advocate has filed Vakalatnama/Appearance on behalf of proposed impleaded party after taking No objection from erstwhile Advocate Mr. Seshalapa Sai Bandaru, Advocate. The same has been registered as I.A.No. 7 and is placed before the Hon'ble Court's kind perusal.

Service position of the matters:-

It is also submitted that there are 127 respondents in C.A. No. 6536 of 2010 and 86 Respondent in C.A. No. 6537 of 2010. Respondent no.1 in C.A. No.6536 of 2010 and respondent no.15 in C.A. 6537 of 2010 are represented by Mrs. Rekha Pandey, Advocate as she has filed caveat in the main matter, i.e. CA No. 4731-4732 of 2010. Respondent Nos. 87 to 127 are represented by Mr. B. Ramana Murthy, Advocate. Respondent Nos. 2 to 7 in CA No.6536/2010 & Respondent Nos. 3 to 5 & 13 and 14 in 6537/2010, have been served with the notice but they have not entered appearance before this Court so far. Respondent No. 12 in CA No. 6537/2012 has been served with notice in connected CA No. 4277/2011 but no one has entered appearance on his behalf so far, in CA No. 6537 of 2012.

The names of Respondent Nos. 8 to 86 in CA No. 6536 of 2010 and 16 to 86 in CA No. 6537 of 2010 have been deleted from the array of parties vide Hon'ble Judge-in-Chambers Order dated 10th December, 2010.

It is also submitted that counsel for the Appellant has on 8th October, 2013 filed statement of case but counsel for the Respondent No. 1 in C.A.

No. 6536 of 2010, Respondent No. 15 in C.A. No. 6537 of 2010 and Respondent Nos. 87 to 127 have not filed statement of case so far and in terms of Order XIX Rule 32 (2), if 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 appellant is concerned, it shall be presumed that the appellant has adopted list of dates/synopsis as statement of case.

Service is complete in both the matters.

Civil Appeal Nos. 1196-1197/2010

These are the appeals by Special Leave filed against the Judgment and Order dated 15.04.2010 of the High Court of Judicature, Andhra Pradesh at Hyderabad in SA No. 410 of 2008 and SA No. 411 of 2008.

The matters above-mentioned were listed before the Registrar's Court on 4th December, 2014, when he was pleased to pass the following Order:-

“The office report states that Mr.Ejaz Maqbool, Ld.counsel has not taken any steps to bring on record the lrs. of the deceased common respondent No.55 in C.A.No.1196/2010, and respondent No.2 in C.A.No.1197/2010 & the respondent No.72 in both the appeals so far. Therefore, the matter shall be processed for listing before the Hon'ble Judge in Chambers for further future directions. Await orders and list thereafter.”

It is submitted that Mr. Ejaz Maqbool, Advocate for the appellant has not taken steps to bring on record the Lrs. of deceased common Respondent No. 55 in CA No. 1196 of 2010 and Respondent No. 2 in CA No. 1197 of 2010 and Respondent No. 72 in both the appeal so far. Counsel for the appellant has also not taken steps in respect of correct address of unserved Respondent so far.

Service and Status:-

It is further submitted to the Hon'ble Court that there are 86 Respondents in C.A. No. 1196 of 2012 and 106 Respondents in C.A. No. 1197 of 2012 in the matters above-mentioned.

S.No	Respondent No. in CA No. 1196	Respondent No. in CA No. 1197	Advocate
1	1	63	Rekha Pandey
2	68	15	
3	14	22	A. V. Balan

4	15	23	
5	16	24	
6	17	25	
7	2	64	Served as per report of HighCourt but no one has entered appearance on their behalf so far.
8	3	65	
9	4	66	
10	5	67	
11	6	68	
12	7	69	
13	8	16	
14	24	32	
15	28	36	
16	29	37	
17	30	38	
18	31	39	
19	32	40	
20	33	41	
21	34	42	
22	35	43	
23	36	44	
24	39	47	
25	45	53	
26	46	54	
27	54	1	
28	56	3	
29	57	4	
30	58	5	
31	59	6	
32	60	7	
33	61	8	
34	62	9	
35	63	10	
36	64	11	
37	65	12	
38	66	13	
39	67	14	

40	70	70	Served as per report of HighCourt but no one has entered appearance on their behalf so far.
41	74	74	
42	79	95	
43	82	78	
44	83	79	
45	84	80	
46	85	81	
47	86	82	
48		83	
49		85	
		86	
		86	
		87	
		88	
		90	
		91	
		92	

High Court vide its letter dated 22nd November, 2012 has reported that notice of Lodgment of Petition of Appeal in respect of the following Respondents have been received back unserved with the remarks made against as under:

C.A. NO. 1196	C.A. NO. 1197	Process Server's Report
9	17	No such person is residing at the given address.
10	18	is not working at the given address.
11	19	No such person is residing at the given address.
12	20	No such person is residing at the given address.
13, 18, 19, 20, 21, 22, 23, 25	21, 26, 27, 28, 29, 30, 31,33	Want of full Address with MCH number.
26	34	Out of India
27	35	Given door number is not available in the locality mentioned in address.
37	45	Vacated the House
38	46	Want of full MCH number and locality name
40	48	Vacated the House
41	49	Want of Door number, locality name

42	50	Not residing at the given address.
43	51	Out of India
44	52	No such person is residing at the given address.
47	55	No such person
48	56	Vacated
49	57	No such person
50	58	Vacated
51	59	Not residing at the given address.
52	60	Not residing
53	61	Not residing at the given address.
55	2	Died
69	62	Not residing
71	71	No such person
72	72	Died
73	73	Want of door
75	75	Want of door
76	76	Not residing
77	93	Vacated
78	94	No such person
80	96	No such person
81	77	Door Locked
	85	Want of full address
	89	No such Name
	93	Vacated house

It is lastly submitted that counsel for the Appellant has not filed statement of case.

Civil Appeal Nos. 7105-7106 of 2010

The matters above-mentioned were listed before the Ld. Registrar's Court 21st February, 2014 and 08th July, 2014, 10th September, 2014 and 27th November, 2014 , when he was pleased to pass the following order:

21/02/2014:-

“Ld.counsel for the appellant is granted time for taking steps to bring on record the Lrs. of respondents mentioned at Serial No.4,9 and 13 of the office report. Ld.counsel for the appellant is granted further time for taking steps against all the remaining respondents mentioned at Serial No.1-36.

List the matter on 14.03.2014”

08/07/2014:-

“The learned counsel for the appellants seeks and is given two weeks' time, as last chance for filing the affidavit in proof of service of notice with proof of publication. Ld. Counsel is directed to take fresh steps to bring on record the legal representatives of the deceased common respondent No. 13 in C.A. No. 7105/2010 and Respondent No. 21 in C.A. No. 7106/2010, Common Respondent No. 19 in C.A. No. 7105/2010 and Respondent No. 27 in C.A. No. 7106/2010, Common Respondent No. 33 in C.A. No. 7105/2010 and Respondent No. 41 in C.A. No. 7106/2010. The learned counsel for the appellant shall file the fresh particulars and requisites for the service of notice to the Respondents as detailed at Serial Nos. 1 to 36 of the office report dated 7.7.2014. He shall do the needful within a period of four weeks', failing which appropriate orders shall follow on the next date.

The learned counsel for the appellant shall also file the statement of case within a period of 45 days. He shall provide the copy thereof to the learned counsel for the appearing respondents and they shall file the same within a period of 35 days thereafter.

List again on 10.9.2014.”

10/09/2014:-

“The learned counsel for the appellants seeks and is given four weeks time as last chance to comply with the terms of the office report.

List again on 27.11.2014.”

27/11/2014:-

“The office report indicates that although by order dated 10.9.2014 of this Court four weeks time, as last chance was given to the learned counsel for the appellants to comply with the terms of the Office Report, yet he has not done the needful so far.

Viewed in that context, the matter shall be listed before the Hon'ble Judge in Chambers for further future directions. Await orders. List thereafter.”

It is submitted that counsel for the appellant has not taken any appropriate steps for bringing an record the Lrs. of deceased common Respondent No. 13 in CA No. 7105/2010 and Respondent No. 21 in CA No. 7106/10, Common Respondent No. 19 CA No. 7105/2010 and Respondent No. 27 in CA No. 7106 of 2010, Common Respondent No. 33 in CA No.

7105 of 2010 and Respondent No. 41 in CA No. 7106 of 2010 so far.

It is further submitted that Counsel for the appellant has not taken any steps in respect of unserved Common Respondent No. 69 in CA No. 7105 of 2010 and Respondent No. 62 in CA No. 7106 of 2010, Common Respondent No. 82 in CA No. 7105 of 2010 and Respondent No. 78 in CA No. 7106 of 2010 so far.

It is submitted to the Hon'ble Court that counsel for the Appellant has on 27th November, 2014 filed affidavit of service alongwith proof of publication.

It is further submitted that the High Court of Andhra Pradesh vide its letter dated 26th August, 2011 inform this Registry that the Notice of Lodgment of Petition of Appeal in respect of following respondents in the instant matters have been returned unserved with the following endorsement of the process server:

<u>Sl.No.</u>	<u>Respondent No. & Names</u>	<u>Remarks</u>
1	Respondent No. 13 in C.A. No. 7105 of 2010 and Respondent No. 21 in C.A. No. 7106 of 2010 - Abzal Badruddin Lukhmani	<u>Expired.</u>
2	Respondent No. 19 in C.A. No. 7105 of 2010 and Respondent No. 27 in C.A. No. 7106 of 2010 - Azizunnisa Begum,	<u>Expired.</u>
3	Respondent No. 33 in C.A. No. 7105 of 2010 and Respondent No. 41 In C.A. No. 7106 of 2010 - Mehdi Ali.	<u>Expired</u>
4	Respondent No. 69 in C.A. No. 7105 of 2010 and Respondent No. 62 in C.A. No. 7106 of 2010 - K. Sujatha	Not residing at the given address.
5	Respondent No. 82 in C.A. No 7105 of 2010 and Respondent No. 78 in C.A. No. 7106 of 2010 - Anees Makandar	Full address particulars required.

It is also submitted that there are 96 respondents. Respondent no.1 in C.A. 7105 of 2010 and Respondent No. 63 in C.A. No. 7106 of 2010 are represented by Mrs. Rekha Pandey, Advocate. Respondent No. 38 in CA No. 7105 of 2010 and Respondent No. 46 in CA No. 7106 of 2010, Common Respondent Nos.83 to 96 in C.A. No. 7105 of 2010 and Respondent nos. 79 to 92 in C.A. No. 7106 of 2010 are represented by Dr. Kailash Chand, Advocate. Respondent No. 49 in C.A. No. 7105 of 2010 and

Respondent No. 57 in C.A. No. 7106 of 2010 - K.J. Pangagavalli, Respondent No. 51 in C.A. No. 7105 of 2010 and Respondent No. 59 in C.A. No. 7106 of 2010 - Nagururu Vinaya Kumar, Respondent No. 71 in both the appeals - R. Sudha Rani, Respondent No. 72 in both the appeals - P. Pattabhi Ramaiah, Respondent No. 73 in both the appeals - P. Narasimha, Respondent No. 75 in both the appeals, Respondent No. 76 in both the appeals - P. Panduranga Rao, Respondent No. 74 in both the appeals, Respondent No. 81 in CA No. 7105 of 2010 & Respondent No. 77 in 7106 of 2010, Respondent No. 47 in C.A. No. 7105 of 2010 and Respondent No. 55 in C.A. No. 7106 of 2010 Respondent No. 59 (in CA No. 7105/2010 & 6 in CA No. 7106/2010, Respondent No. 77 in CA No. 7105/10 and 93 in CA No. 7106/2010) are represented by Manoj C. Mishra, Advocate.

Respondent No. 2 in CA No. 7105 of 2010 & Respondent No. 64 in 7106 of 2010, Respondent No. 3 in CA No. 7105 of 2010 & Respondent No. 65 in 7106 of 2010, Respondent No. 4 in CA No. 7105 of 2010 & Respondent No. 66 in 7106 of 2010, Respondent No. 5 in CA No. 7105 of 2010 & Respondent No. 67 in 7106 of 2010, Respondent No. 6 in CA No. 7105 of 2010 & Respondent No. 68 in 7106 of 2010, Respondent No. 7 in CA No. 7105 of 2010 & Respondent No. 69 in 7106 of 2010, Respondent No. 8 in CA No. 7105 of 2010 & Respondent No. 16 in 7106 of 2010, Respondent No. 9 in CA No. 7105 of 2010 & Respondent No. 17 in 7106 of 2010, Respondent No. 20 in CA No. 7105 of 2010 & Respondent No. 28 in 7106 of 2010, Respondent No. 24 in CA No. 7105 of 2010 & Respondent No. 32 in 7106 of 2010, Respondent No. 25 in CA No. 7105 of 2010 & Respondent No. 33 in 7106 of 2010, Respondent No. 26 in CA No. 7105 of 2010 & Respondent No. 34 in 7106 of 2010, Respondent No. 27 in CA No. 7105 of 2010 & Respondent No. 35 in 7106 of 2010, Respondent No. 28 in CA No. 7105 of 2010 & Respondent No. 36 in 7106 of 2010, Respondent No. 29 in CA No. 7105 of 2010 & Respondent No. 37 in 7106 of 2010, Respondent No. 30 in CA No. 7105 of 2010 & Respondent No. 38 in 7106 of 2010, Respondent No. 31 in CA No. 7105 of 2010 & Respondent No. 39 in 7106 of 2010, Respondent No. 32 in CA No. 7105 of 2010 & Respondent No. 40 in 7106 of 2010, Respondent No. 35 in CA No. 7105 of 2010 &

Respondent No. 43 in 7106 of 2010, Respondent No. 36 in CA No. 7105 of 2010 & Respondent No. 44 in 7106 of 2010, Respondent No. 37 in CA No. 7105 of 2010 & Respondent No. 45 in 7106 of 2010, Respondent No. 41 in CA No. 7105 of 2010 & Respondent No. 49 in 7106 of 2010, Respondent No. 42 in CA No. 7105 of 2010 & Respondent No. 50 in 7106 of 2010, Respondent No. 43 in CA No. 7105 of 2010 & Respondent No. 51 in 7106 of 2010, Respondent No. 44 in CA No. 7105 of 2010 & Respondent No. 52 in 7106 of 2010, Respondent No. 45 in CA No. 7105 of 2010 & Respondent No. 53 in 7106 of 2010, Respondent No. 46 in CA No. 7105 of 2010 & Respondent No. 54 in 7106 of 2010, Respondent No. 55 in CA No. 7105 of 2010 & Respondent No. 2 in 7106 of 2010, Respondent No. 56 in CA No. 7105 of 2010 & Respondent No. 3 in 7106 of 2010, Respondent No. 57 in CA No. 7105 of 2010 & Respondent No. 4 in 7106 of 2010, Respondent No. 58 in CA No. 7105 of 2010 & Respondent No. 5 in 7106 of 2010, Respondent No. 64 in CA No. 7105 of 2010 & Respondent No. 11 in 7106 of 2010, Respondent No. 65 in CA No. 7105 of 2010 & Respondent No. 12 in 7106 of 2010, Respondent No. 66 in CA No. 7105 of 2010 & Respondent No. 13 in 7106 of 2010, Respondent No. 67 in CA No. 7105 of 2010 & Respondent No. 14 in 7106 of 2010, Respondent No. 68 in CA No. 7105 of 2010 & Respondent No. 15 in 7106 of 2010, Respondent No. 70 in both the appeals, Respondent No. 78 in CA No. 7105 of 2010 & Respondent No. 94 in 7106 of 2010, Respondent No. 79 in CA No. 7105 of 2010 & Respondent No. 95 in 7106 of 2010 have been served with the notice but they have not entered appearance before this Court so far.

It is also submitted that service is not complete on Respondent No. 13 in C.A. No. 7105 of 2010 and Respondent No. 21 in C.A. No. 7106 of 2010, Respondent No. 19 in C.A. No. 7105 of 2010 and Respondent No. 27 in C.A. No. 7106 of 2010, Respondent No. 33 in C.A. No. 7105 of 2010 and Respondent No. 41 In C.A. No. 7106 of 2010, Respondent No. 69 in C.A. No. 7105 of 2010 and Respondent No. 62 in C.A. No. 7106 of 2010, Respondent No. 82 in C.A. No 7105 of 2010 and Respondent No. 78 in C.A. No. 7106 of 2010.

Civil Appeal Nos. 4276-4277 of 2010

These are the appeals by Special Leave from the Judgment and order dated 15th April, 2010 of the High Court of Andhra Pradesh at Hyderabad in Second Appeal Nos. 410 and 411 of 2008.

It is submitted that there are 87 respondents in C.A. No. 4276 of 2011 and 98 respondents in C.A. No. 4277 of 2011. Common respondent no. 1 and 69 in C.A. No. 4276 of 2011 and 15 and 64 in C.A. No. 4277 of 2011 are represented by Ms. Rekha Pandey, Advocate and common respondent no. 71 in both the appeals is represented by Mr. B.K. Satija, Advocate.

It is further submitted that respondent nos. 2 to 9, 28 to 33, 36, 39, 40, 42 to 47, 57 to 59, 62, 66 to 68, 70, 75, 79, 80 and 82 to 87 in C.A. No. 4276 of 2011. Respondent Nos. 3 to 5, 8, 12 to 14, 16, 17, 36 to 41, 44, 46, 47, 48, 50 to 55, 63, 65 to 70, 75, 78 to 85, 87 to 89, 91 to 93, 95, 96 and 98 in C.A. No. 4677 of 2011 have been served with the notice but they have not entered appearance before this Court so far. Common respondent nos. 55 and 56 in C.A. No. 4276 of 2011 and 1 and 2 in C.A. No. 4277 of 2011 have been served through paper publication

It is also submitted that the following respondents have been deleted from array of parties vide Court's Order dated 15th April, 2014:

1	Common Respondent nos. 10, 11 & 12 in C.A No. 4276 of 2011 and 18, 19, 20 in C.A no. 4277 of 2011
2	Common Respondent nos.13 to18, 20-22 in C.A no. 4276 of 2011 and 21 to 26 and 28 to 30 in CA No. 4277 of 2011
3	Common Respondent no. 23 in CA no. 4276 of 2011 and 31 in CA No. 4277 of 2011
4	Common Respondent Nos. 24 to 27 in C.A no. 4276 of 2011 and 32 of 35 in C.A no. 4277 of 2011
5	Common Respondent No. 34 in C.A No. 4276 of 2011 and 42 in C.A no. 4277 of 2011
6	Common Respondent No. 35 in C.A No. 4276 of 2011 and 43 in C.A no. 4277 of 2011
7	Common Respondent No. 37 in C.A No. 4276 of 2011 and 45 in C.A no. 4277 of 2011
8	Common Respondent No. 41 in C.A No. 4276 of 2011 and 49 in C.A no. 4277 of 2011
9	Common Respondent No. 48 in C.A No. 4276 of 2011 and 56 in C.A

	no. 4277 of 2011
10	Common Respondent No. 49 in C.A No. 4276 of 2011 and 57 in C.A no. 4277 of 2011
11	Common Respondent No. 50 in C.A No. 4276 of 2011 and 58 in C.A no. 4277 of 2011
12	Common Respondent No. 51 in C.A No. 4276 of 2011 and 59 in C.A no. 4277 of 2011
13	Common Respondent No. 52 in C.A No. 4276 of 2011 and 60 in C.A no. 4277 of 2011
14	Common Respondent No. 53 in C.A No. 4276 of 2011 and 61 in C.A no. 4277 of 2011
15	Common Respondent No. 54 in C.A No. 4276 of 2011 and 62 in C.A no. 4277 of 2011
16	Common Respondent No. 60 and 61 in C.A No. 4276 of 2011 and 6 & 7 in C.A no. 4277 of 2011
17	Common Respondent No. 63, 64 and 65 in C.A No. 4276 of 2011 and 9, 10, 11 in C.A no. 4277 of 2011
18	Common Respondent No. 72 in both the Appeals
19	Common Respondent No. 73 in both the Appeals
20	Common Respondent No. 74 in both the Appeals
21	Common Respondent No. 76 in both the Appeals
22	Common Respondent No. 77 in both the Appeals
23	Common Respondent No. 78 in C.A No. 4276 of 2011 and 94 in C.A no. 4277 of 2011
24	Common Respondent No. 81 in C.A No. 4276 of 2011 and 97 in C.A no. 4277 of 2011
25	Common Respondent No. 90 in C.A No. 4277 of 2011
26	Common Respondent No. 19 in C.A No. 4276 of 2011 and 27 in C.A no. 4277 of 2011
27	Common Respondent No. 38 in C.A No. 4276 of 2011 and 86 in C.A no. 4277 of 2011
28	Common Respondent No. 54 in C.A No. 4277 of 2011

Service is complete.

Common Original Record of the High Court and Lower Court's in connected CA Nos. 4837-4838 of 2010 are available for the reference of the Hon'ble Court.

It is lastly submitted that counsel for the appellant has filed statement of case but Counsel for the appearing respondents have not filed statement of case 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.

SLP (C) NOS. 23864-23865 OF 2011

The matters above-mentioned were listed before the Hon'ble Court on 19th November, 2012, when the Hon'ble Court was pleased to pass the following order:

“Issue notice.
Tag with C.A. Nos.4731-4732/2010.”

The matters above-mentioned were listed before the Ld. Registrar Court on 1st March, 2013 & 10th April, 2013, when he was pleased to pass the following orders:

1/3/2013:

“It appears that complete set of paper books as well as deficit process fee has not been paid by the Id. Counsel for the petitioner. Needful be done within one week and on compliance notice be issued forthwith.

List again on 10.4.2013.”

10/4/2013:

“Despite specific directions neither deficit Court fee of Rs.1960/- has been deposited nor additional sets of spare copies have been filed.

Matter be placed before the Hon'ble Judge in Chambers for necessary orders/directions.”

It is submitted that there are 88 respondents in SLP 23864 and 108 respondents in SLP 23865 of 2011. Counsel for the petitioner has not filed deficit Court Fee of Rs.1960/- alongwith 196 sets of SLP, hence show cause notice could not be issued so far.

The matters above-mentioned are listed before the Hon'ble Court with this Office Report.

Dated this, the 12th day of January, 2015.

ASSISTANT REGISTRAR

Copy to:

1. Mr. B. Y. Kulkarni, Advocate, 225, New Lawyer's Chambers.
2. Mr. Abhijit Sengupta, Advocate, 407, Lawyer's Chamber, (M.C, Setalvad Block) Supreme Court.
3. Ms. Rekha Pandey, Advocate, 113, New Lawyer's Chambers, M.C. Setalvad Block
4. Mr. A. Venyagam Balan, Advocate, Library, Tel. No.: 9873874363
5. Mr. B.K. Satija, Advocate, 88, Lawyer's chambers
6. Mrs. Anjani Aiyagari, Advocate, 42, Lawyer's Chambers, Supreme Court of India.
7. Ms. Uttara Babbar, Advocate, 112, New Lawy Chambers, M.C. Setalvad Block
8. Mr. Kailash Chand, Advocate, 9873299512
9. Mr. T. V. Ratnam, Advocate,
10. Ms. T. Anamika, Advocate,
11. Mr. Mustaq Ahmed, Advocate
12. Mr. Ejaz Maqbool, Advocate.Ch. No. 319, C. K. Daphtary, Tilak Lane

ASSISTANT REGISTRAR