

Registrar Court No. 2

LISTED ON : 10.09.2014

ITEM NO. : 14

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

CIVIL APPEAL NOS. 7105-7106 OF 2010

MEHRUNISA BEGUM & ORS.

...APPELLANTS

-VERSUS -

B. CHINNA NARASIMHA & ORS.

...RESPONDENTS

OFFICE REPORT

The matters above-mentioned were listed before the Ld. Registrar's Court 21st February, 2014 and 08th July, 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.”

It is submitted to the Hon'ble Court that counsel for the Appellant has not filed an affidavit of service with proof of publications.

It is further 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 also 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. 68 in CA No. 7106 of 2010 so far.

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. & name</u>	<u>Remarks</u>
1	Respondent No. 10 in C.A. No. 7105 of 2010 and Respondent No. 13 in C.A. No. 7106 of 2010 - Qasim Bee	Not working in the given Office.
2	Respondent No. 11 in C.A. No. 7105 of 2010 and Respondent No. 19 in C.A. No. 7106 of 2010 - Sharfuddin	Not working in the given Office.

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| 3 | Respondent No. 12 in C.A. No. 7105 of 2010 and Respondent No. 20 in C.A. No. 7106 of 2010 -(Mohd. Ali) | House Vacated. |
| 4 | 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> |
| 5 | Respondent No. 14 in C.A. No. 7105 of 2010 and Respondent No. 22 in C.A. No. 7106 of 2010 - Ghulam Mohuddin | Detailed address required. |
| 6 | Respondent No. 16 in C.A. No. 7105 of 2010 and Respondent No. 24 in C.A. No. 7106 of 2010 - Mahaboobunnisa Begam | Detailed address required. |
| 7 | Respondent No. 17 in C.A. No. 7105 of 2010 and Respondent No. 25 in C.A. No. 7106 2010, Damarunnissa Begam | Detailed address required. |
| 8 | Respondent No. 18 in C.A. No. 7105 of 2010 and Respondent No. 26 in C.A. No. 7106 of 2010 - Gulam Samdarii | Detailed address required. |
| 9 | 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> |
| 10 | Respondent No. 21 in C.A. No. 7105 of 2010 and Respondent No. 29 in C.A. No. 7106 of 2010 - Padmini-Cooerative House Building Society). | Not residing in the given address. |
| 11 | Respondent No. 22 in C.A. No. 7105 of 2010 and Respondent No. 30 in C.A. No. 7106 of 2010 - Masood Ali Khan | Not residing in the given address. |
| 12 | Respondent No. 23 in C.A. No. 7105 of 2010 and Respondent No. 31 in C.A. No. 7106 of 2010 - M/s. Paramount Co-operative Housing Society. | Building demolished. |

13	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>
14	Respondent No. 34 in C.A. No. 7105 of 2010 and Respondent No. 42 in C.A. No. 7106 of 2010 - Mehrunisa Ali	Not residing in India.
14 (a)	Respondent No. 39 in CA No. 7105 of 2010 and Respondent No. 47 in 7106 of 2010	Not residing in given address
15	Respondent No. 40 in C.A. No. 7105 of 2010 and Respondent No. 48 in C.A. No. 7106 of 2010 - Nasarath Jahan	Not residing in India.
16	Respondent No. 47 in C.A. No. 7105 of 2010 and Respondent No. 55 in C.A. No. 7106 of 2010 - B. Laxmi Govindamma	No such person.
17	Respondent No. 48 in C.A. No. 7105 of 2010 and Respondent No. 56 in C.A. No. 7106 of 2010 - S. Sudeeramma	House vacated.
18	Respondent No. 49 in C.A. No. 7105 of 2010 and Respondent No. 57 in C.A. No. 7106 of 2010 - K.J. Pangavalli	No such person.
19	Respondent No. 50 in C.A. No. 7105 of 2010 and Respondent No. 58 in C.A. No. 7106 of 2010 - Hari Pd. Reddy	House vacated.
20	Respondent No. 51 in C.A. No. 7105 of 2010 and Respondent No. 59 in C.A. No. 7106 of 2010 - Nagururu Vinaya Kumar	Full address particulars required.
21	Respondent No. 52 in C.A. No. 7105 of 2010 and Respondent No. 60 in C.A. No. 7106 of 2010 - Qasim BeeSunil Kumar	Not residing in the given address.
22	Respondent No. 53 in C.A. No. 7105 of 2010 and Respondent No. 61 in C.A. No. 7106 of 2010 - K. Srinivas Reddy	Not residing in the given address.

23	Respondent No. 54 in C.A. No. 7105 of 2010 - V. Venkateswara Rao	Residing to Hyderabad since 10 years.
24	Respondent No. 59 in C.A. No. 7105 of 2010 and Respondent No. 6 in C.A. No. 7106 of 2010 - M. Venkateswara Rao	Full address particulars required.
25	Respondent No. 60 in C.A. No. 7105 of 2010 and Respondent No. 7 in C.A. No. 7106 of 2010 - M. Rama Rao	Full address particulars required.
26	Respondent No. 61 in C.A. No. 7105 of 2010 and Respondent No. 8 in C.A. No. 7106 of 2010 - N. Padma	Not residing at the given address.
27	Respondent No. 62 in C.A. No. 7105 of 2010 and Respondent No. 9 in C.A. No. 7106 of 2010 - Hemalatha	Not residing at the given address.
28	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.
29	Respondent No. 71 in both the appeals - R. Sudha Rani	No such person.
30	Respondent No. 72 in both the appeals - P. Pattabhi Ramaiah	Full address particulars with MCH No. required.
31	Respondent No. 73 in both the appeals - P. Narasimha	Full address particulars required.
32	Respondent No. 75 in both the appeals - P. Jhansi Laxmi	Full address particulars required.
33	Respondent No. 76 in both the appeals - P. Panduranga Rao	No such person.
34	Respondent No. 77 in C.A. No. 7105 of 2010 and Respondent No. 93 in C.A. No. 7106 of 2010 - Bandari Vijaya Kumar Gupta	No such person.
35	Respondent No. 80 in C.A. No. 7105 of 2010 and Respondent No. 96 in C.A. No. 7106 of 2010 - Nadella Sri Harsha	House Vacated.

36 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. 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. 39 in CA No. 7105 of 2010 & Respondent No. 47 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. 74 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, Respondent No. 81 in CA No. 7105 of 2010 & Respondent No. 77 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. 10 in C.A. No. 7105 of 2010 and Respondent No. 18 in C.A. No. 7106 of 2010, Respondent No. 11 in C.A. No. 7105 of 2010 and Respondent No. 19 in C.A. No. 7106 of 2010, Respondent No. 12 in C.A. No. 7105 of 2010 and Respondent No. 20 in C.A. No. 7106 of 2010, Respondent No. 13 in C.A. No. 7105 of 2010 and Respondent No. 21 in C.A. No. 7106 of 2010, Respondent No. 14 in C.A. No. 7105 of 2010 and Respondent No. 22 in C.A. No. 7106 of 2010, Respondent No. 16 in C.A. No. 7105 of 2010 and Respondent No. 24 in C.A. No. 7106 of 2010, Respondent No. 17 in C.A. No. 7105 of 2010 and Respondent No. 25 in C.A. No.

7106 of 2010, Respondent No. 18 in C.A. No. 7105 of 2010 and Respondent No. 26 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. 21 in C.A. No. 7105 of 2010 and Respondent No. 29 in C.A. No. 7106 of 2010, Respondent No. 22 in C.A. No. 7105 of 2010 and Respondent No. 30 in C.A. No. 7106 of 2010, Respondent No. 23 in C.A. No. 7105 of 2010 and Respondent No. 31 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. 34 in C.A. No. 7105 of 2010 and Respondent No. 42 in C.A. No. 7106 of 2010, Respondent No. 40 in C.A. No. 7105 of 2010 and Respondent No. 48 in C.A. No. 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. 48 in C.A. No. 7105 of 2010 and Respondent No. 56 in C.A. No. 7106 of 2010, Respondent No. 49 in C.A. No. 7105 of 2010 and Respondent No. 57 in C.A. No. 7106 of 2010, Respondent No. 50 in C.A. No. 7105 of 2010 and Respondent No. 58 in C.A. No. 7106 of 2010, Respondent No. 51 in C.A. No. 7105 of 2010 and Respondent No. 59 in C.A. No. 7106 of 2010, Respondent No. 52 in C.A. No. 7105 of 2010 and Respondent No. 60 in C.A. No. 7106 of 2010, Respondent No. 53 in C.A. No. 7105 of 2010 and Respondent No. 61 in C.A. No. 7106 of 2010, Respondent No. 54 in C.A. No. 7105 of 2010, Respondent No. 60 in C.A. No. 7105 of 2010 and Respondent No. 7 in C.A. No. 7106 of 2010, Respondent No. 61 in C.A. No. 7105 of 2010 and Respondent No. 8 in C.A. No. 7106 of 2010, Respondent No. 62 in C.A. No. 7105 of 2010 and Respondent No. 9 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. 71 in both the appeals, Respondent No. 72 in both the appeals, Respondent No. 73 in both the appeals, Respondent No. 75 in both the appeals, Respondent No. 76 in both the appeals, Respondent No. 77 in C.A. No. 7105 of 2010 and Respondent No. 93 in C.A. No. 7106 of 2010, Respondent No. 80 in C.A. No. 7105 of 2010 and Respondent No. 96 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.

Common Original Record in connected C.A. No.4837 and 4838 of 2010 have been received from High Court and Lower Court.

It is lastly submitted that counsel for the appearing parties have not filed their respective statement of case so far.

The matter above-mentioned is listed before the Ld. Registrar Court with this Office Report.

Dated this, the 9th day of September, 2014.

ASSISTANT REGISTRAR

Copy to:-

1. Mr. A. Venyagam Balan, Advocate.
2. Ms. Rekha Pandey, Advocate.
3. Dr. Kailash Chand, Advocate.

ASSISTANT REGISTRAR