

**REGISTRAR'S COURT NO. 2**

LISTED ON : 16.12.2016  
ITEM NO. : 101

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

**CIVIL APPEAL NOS. 4733 AND 4734-4735, 4736, 4837-4838, 6536-6537 OF 2010, 1196-1197 OF 2012 AND 7105-7106 OF 2010 AND SLP (C) NOS. 23864-23865 of 2011**

SHARIFUNNISA BEGUM ETC.

...APPELLANTS

-VERSUS -

V. VENKATESWARA RAO & ORS.

...RESPONDENTS

**OFFICE REPORT**

It is submitted that CA No. 4733 of 2010 and CA No. 4736 of 2010 alongwith applications were listed before the Hon'ble Court (IN CHAMBERS) on 18<sup>th</sup> March, 2016, when the following order was passed:-

“Issue notice on the proposed LR's. of the deceased Respondent Nos. 5 & 7 in the substitution application as well as in the application for condonation of delay in both the appeals.”

Accordingly, common show cause notice show in CA No. 4733 of 2010 and CA No. 4736 of 2010 was issued to the common Lrs. of deceased Respondent Nos. 5 & 7 in CA No. 4736 of 2010 and Respondent Nos. 83 & 85 in CA No. 4733 of 2010 on 10<sup>th</sup> December, 2016 by Registered AD post.

It is further submitted that as per the Tracking Report notice has not been served on any of the Lrs. As per the tracking report, Lrs. Nos. 1, 2, 3, 4, 6, 7, 10, 11 & 12 has refused to accept the notice and Lr. No. 8 is reported to be deceased and Lr. No. 9 has left India.

Service on all the Lrs. is awaited.

Subsequently, the Application for Early Hearing in Civil Appeal Nos. 4731-4732, 4733, 4734-4735 of 2010 were listed before the Hon'ble Court on 28<sup>th</sup> October, 2016, when the Hon'ble Court was pleased to pass the following order:

“I.A.Nos.37 & 38 of 2016, for early hearing, are disposed of as allowed.

Main matters to be notified for final disposal in the second week of January, 2017.

Registry shall see that in the meantime, all the respondents are served.”

It is further submitted that there are total 9 matters which are listed before the Ld. Registrar's Court on 24<sup>th</sup> November, 2016. A copy of order dated 24.11.2016 is enclosed herewith for kind perusal.

**Civil Appeal No. 4733 of 2010**

Pursuant to above referred order of Court of Registrar, fresh notice to Lrs. of deceased Respondent Nos. 83 & 85 and notice for alternative arrangement in respect of Respondent Nos. 48, 50, 54 and 55 was issued through Registered Post AD on 10<sup>th</sup> December, 2016 and Dasti was handed over to the Counsel for the Petitioner.

It is further submitted that service on the usual mode is awaited and counsel for the petitioner has filed affidavit of Dasti stating that the Lrs. of deceased Respondents have refused to accept the notice and the party has affixed the notices on the door of the Lrs. of the deceased Respondents.

It is further that Counsel for the Petitioner has filed affidavit after serving the notice to the Respondent Nos. 48, 50, 54 and 55 but no one has entered appearance on their behalf so far.

It is also submitted that Counsel for the Parties have not filed Statement of Case so far.

Service of show cause notice is incomplete on Lrs. of deceased Respondent Nos. 83 & 85.

**Civil Appeal Nos. 4734-4735 of 2010**

Pursuant to above referred order of Court of Registrar, fresh dasti notice to proposed Lrs. of deceased Respondent Nos. 5 & 7 in CA No. 4734 of 2010 and proposed Lrs. of deceased Respondent Nos. 71 & 73 in CA No. 4735 of 2010 was handed over to the Counsel for the Petitioner.

It is further submitted that counsel for the petitioner has filed affidavit of Dasti stating that the proposed Lrs. of deceased Respondents have refused to accept the notice and the party has affixed the notices on the door of the Lrs. of the deceased Respondents.

Service of Show Cause Notice is incomplete on proposed Lrs. of deceased Respondent Nos. 5 & 7 in CA No. 4734 of 2010 and proposed Lrs. of deceased Respondent Nos. 71 & 73 in CA No. 4735 of 2010.

It is submitted that Counsel for the Petitioner has given a letter stating that the said proposed Lrs. are also the party in main matter i.e. CA Nos. 4731-4732 of 2010 and they have been served in the main matter by way of

dasti.

It is also submitted that Counsel for the Parties have not filed Statement of Case so far.

**Civil Appeal No. 4736 of 2010**

Pursuant to above referred order of Court of Registrar, fresh notice to proposed Lrs. of deceased Respondent Nos. 5 & 7 and notice for alternative arrangement in respect of Respondent Nos. 38 & 40 was issued through Registered Post AD on 10<sup>th</sup> December, 2016 and Dasti was handed over to the Counsel for the Petitioner.

It is further submitted that service on the usual mode is awaited and counsel for the petitioner has filed affidavit of Dasti stating that the Lrs. of deceased Respondents have refused to accept the notice and the party has affixed the notices on the door of the Lrs. of the deceased Respondents.

It is further that Counsel for the Petitioner has filed affidavit after serving the notice to the Respondent Nos. 38 & 40 but no one has entered appearance on their behalf so far.

Service of Show Cause Notice is incomplete on proposed Lrs. of deceased Respondent Nos. 5 & 7.

It is also submitted that Counsel for the Parties have not filed Statement of Case so far.

**Civil Appeal Nos. 4837-4838 of 2010**

Service of Show Cause Notice is complete on all the Respondents.

It is submitted that Counsel for the Parties have not filed Statement of Case so far.

**Civil Appeal Nos. 6536-6537 of 2010**

Pursuant to above referred order of Court of Registrar, fresh notice to proposed Lrs. of deceased Respondent Nos. 5 & 7 in CA No. 6536 of 2010 was issued through Registered Post AD on 10<sup>th</sup> December, 2016 and Dasti was handed over to the Counsel for the Petitioner.

It is further submitted that service on the usual mode is awaited and counsel for the petitioner has not filed affidavit of Dasti service.

Service of Show Cause Notice is incomplete on proposed Lrs. of deceased Respondent Nos. 5 & 7 in CA No. 6536 of 2010.

It is submitted that Counsel for the Appellant has filed Statement of Case but Counsel for the Respondent has not filed Statement of Case.

It is further submitted that Alternative Arrangement notice to

Impleaded Respondent in I.A. No. 6 of 2016 was issued on 7<sup>th</sup> December, 2016. As per the tracking report the delivery of the notice has been failed as the door was locked.

**Civil Appeal Nos. 1196-1197 of 2012**

It is submitted that Counsel for the Appellant has on 18<sup>th</sup> November, 2016 filed application for deletion of all the unserved Respondents and the said application has been listed before the Hon'ble Judge-in-chambers on 14<sup>th</sup> December, 2016, result of the same is awaited.

It is submitted that Counsel for the Parties have not filed Statement of Case so far.

**Civil Appeal Nos. 7105-7106 of 2010**

Service of Show Cause Notice is incomplete Respondent Nos. 15, 63, 82 in CA No. 7105 of 2010 and Respondent Nos. 23, 10 & 78 in CA No. 7106 of 2010 and Counsel for the Petitioner has not filed copies of petition of appeal for issuance of notice, despite request.

It is submitted that Counsel for the Parties have not filed Statement of Case so far.

**SLP (C) NOS. 23864-23865 of 2016**

It is submitted that the matter above-mentioned was listed before the Hon'ble Court on 19<sup>th</sup> December, 2012, when the Hon'ble Court was pleased to pass the following order:

“Issue notice.  
Tag with CA Nos. 4731-4732 of 2010.”

Subsequently, the matter above-mentioned was listed before the Hon'ble Court (IN CHAMBERS) on 25<sup>th</sup> November, 2016, when the the following order was passed:-

“Issue fresh notice to the unserved respondents.”

It is submitted to the Hon'ble Court that Counsel for the Petitioner has not filed fresh spare copies to issue Show Cause Notice. Thus, fresh Show Cause Notice could not be issued to unserved Respondent Nos. 2 to 11, 13 to 25, 27 to 45, 50, 51, 56, 57, 62, 71, 73 to 79, 81 to 84, 86, 87 in SLP (C) No. 23864 of 2011 and Respondent Nos. 7, 16 to 19, 21 to 33, 35 to 53, 57 to 59, 64 to 71, 73 to 80, 82 to 84, 86 to 88, 91 to 95, 97 to 103, 105 to 108 in SLP (C) No. 23865 of 2011.

Service is incomplete on above-mentioned unserved Respondents.

**Service position of each matter is as under:**

**There are total 113 Respondents in CA No. 4733 of 2010**

Respondent Number in CA No. 4733/10	Service Position
2, 3, 7, 8, 11 to 13, 52 to 53, 73 to 75, 78, 87, 109 & 112	Served through Dasti but no one has entered appearance so far.
32 to 35	Represented by Mr. A. V. Balan, Adv.
79	Represented by Ms. Rekha Pandey, Adv.
49 & 56	Represented by M/s. Lawyers Knit & Company, Advs.
4 to 6, 10, 14 to 17, 110 & 111	Served with Notice but no one has entered appearance
48, 50, 54 & 55	<b>Represented by Ms. T. Anamika, Adv. Now designated as ADJ</b>
1, 9, 19 to 29, 41, 44, 45, 47 & 113	Deleted from array of parties vide Court's Order dated 18.02.2011 & 08.08.2014
18, 30 to 40, 42, 43, 46, 51, 57 to 61, 63 to 72, 76, 77, 80 to 82, 84, 86, 88 to 108.	Service is dispensed with.
62	Deleted from array of parties vide Court's Order dated 16.09.2016
Lrs. of deceased Respondent Nos. 83 & 85	<b>Service is Incomplete</b>

**There are total 99 Respondents in CA Nos. 4734-4735 of 2010 in each matters**

Respondent Number in CA No. 4734/10	Service Position	Respondent Number in CA No. 4735/10	Service Position
1, 72	Represented by Mrs. Rekha Pandey, Adv.	15 & 67	Represented by Mrs. Rekha Pandey, Adv.
14 to 17	Represented by Mr. A. V. Balan, Adv.	22 to 25	Represented by Mr. A. V. Balan, Adv.
26A to 26F	Represented by Mr. T. V. Ratnam, Adv.	34A to 34F	Represented by Mr. T. V. Ratnam, Adv.
2, 3, 4, 6, 32, 33, 60, 61, 62, 65, 69, 70, 71, 78, 82, 83 & 85	Served with Notice but no one has entered appearance	68, 69, 70, 72, 40, 41, 3, 4, 5, 8, 12, 13, 14, 78, 81	Served with Notice but no one has entered appearance
8 to 13, 18 to 25, 27 to 31, 34 to 52, 56, 57, 73, 74, 76 & 86 to 99	Deleted from array of parties vide Court's Order dated 18.02.2011 & 11.07.2014	16 to 21, 26 to 33, 35 to 39, 42 to 60, 64 to 66, 74, 76, & 82 to 99	Deleted from array of parties vide Court's Order dated 18.02.2011 & 11.07.2014
53, 54, 55, 58, 59, 63, 64, 66, 67, 68, 75, 77, 79, 80, 81 & 84	Served by Paper Publication with proof but no one has entered appearance	61, 62, 63, 1, 2, 6, 7, 9, 10, 11, 75, 77, 79, 80	Served by Paper Publication with proof but no one has entered appearance
Lrs. of deceased Respondent Nos. 5 & 7	<b>Service is Incomplete</b>	Lrs. of deceased Respondent Nos. 71 & 73	<b>Service is Incomplete</b>

**There are total 113 Respondents in CA No. 4736 of 2010**

Respondent Number in CA No. 4736/10	Service Position
1 & 85	Represented by Ms. Rekha Pandey, Adv.
22 to 25	Represented by Mr. A. V. Balan, Adv.
61, 63, 65, 88, 90 to 93, 98	Represented by Mr. Manoj C. Mishra, Adv.
38 & 40	<b>Represented by Ms. T. Anamika, Adv. Now designated as ADJ</b>
39 & 46	Represented by M/s. Lawyers Knit & Company, Advs.
21 & 68	Deleted from array of parties vide Court's Order dated 27.01.2015
52	Deleted from array of parties vide Court's Order dated 29.08.2016
53	Represented by Ms. Prabha Swamy, Adv.
2 to 4, 6, 20, 42, 43, 33, 36, 64, 99, 100 to 105, 108 & 109	Served with Notice but no one has entered appearance
9 to 19, 31, 32, 34, 35, 37, 69 & 77	Deleted from array of parties vide Court's Order dated 18.02.2011
8, 26 to 30, 41, 44, 45, 47 to 51, 54 to 60, 62, 66, 67, 70 to 76, 78 to 84, 86 to 87, 94 to 97, 106 to 107 and 110 to 113	Service is dispensed with.
89	Abated vide Court's Order dated 27.01.2015
Lrs. of deceased Respondent Nos. 5 & 7	<b>Service is Incomplete</b>

**There are total 85 Respondents in CA No. 4837 of 2010 AND 105 Respondents in CA No. 4838 of 2010**

Respondent Number in CA No. 4837/10	Service Position	Respondent Number in CA No. 4838/10	Service Position
1	Represented by Ms. Rekha Pandey, Adv.	62	Represented by Ms. Rekha Pandey, Adv.
14 to 17	Represented by Mr. A. V. Balan, Adv.	22 to 25	Represented by Mr. A. V. Balan, Adv.
46, 48, 50, 73 & 80, 70, 71, 72, 74, 75	Represented by Mr. Manoj C. Mishra, Adv.	54, 56, 58, 73 & 76, 70, 71, 72, 74, 75	Represented by Mr. Manoj C. Mishra, Adv.
39	Represented by Mr. Mustaq Ahmad, Adv.	47	Represented by Mr. Mustaq Ahmad, Adv.
28 & 31	Represented by M/s. Lawyers Knit & Company, Adv.	36 & 39	Represented by M/s. Lawyers Knit & Company, Adv.
2, 3, 4, 5, 6, 7, 8, 29, 37, 30, 34, 38, 40, 42, 43, 44, 45, 55, 56, 57, 60, 64, 65, 66, 67, 69, 77, 78, 81, 82, 83, 84, 85	Served with Notice but no one has entered appearance	63, 64, 66, 67, 68, 16, 38, 42, 45, 37, 46, 48, 50, 51, 52, 53, 65, 3, 4, 5, 8, 12, 13, 14, 15, 69, 93, 94, 77, 78, 79, 80, 81, 82, 96, 83, 97, 85, 99, 86, 100, 101, 87, 89, 103, 90, 104, 91 & 105	Served with Notice but no one has entered appearance
9, 10, 11, 12, 18, 21 to 27, 32, 33, 35, 39, 41, 47, 49, 51, 52, 54, 58, 59, 76, 79	Served by Paper Publication with proof but no one has entered appearance	17, 18, 19, 20, 26, 29, 30, 31, 32, 33, 34, 35, 40, 41, 43, 49, 55, 57, 59, 60, 2, 6, 7, 92, 95, 84, 98, 88 & 102, 47	Served by Paper Publication with proof but no one has entered appearance
13, 19, 20, 62, 63, 68, 36	Service is dispensed with.	21, 27, 28, 10, 11, 61, 44	Service is dispensed with.
53, 61	Filed letter requesting Dasti	1, 9	Filed letter requesting Dasti

**There are total 131 Respondents in CA No. 6536 of 2010 AND 90 Respondents in CA No. 6537 of 2010**

Respondent Number in CA No. 6536/10	Service Position	Respondent Number in CA No. 6537/10	Service Position
1	Represented by Ms. Uttara Babbar, Adv.	15	Represented by Ms. Rekha Pandey, Adv.
2 to 4 & 6	Served with Notice but no one has entered appearance	3 to 5, 13 & 14	Served with Notice but no one has entered appearance
8 to 86	Deleted from array of parties vide Court's Order dated 15.12.2010	16 to 70, 72, 74 to 86	Deleted from array of parties vide Court's Order dated 15.12.2010
87 to 127	Represented by Mr. B. Ramana Murthy, Adv.	71 & 73	Appeal abated vide Court's order dated 03.10.2016
Lrs. of deceased Respondent Nos. 5 & 7	<b>Service is Incomplete</b>	1, 2, 6 to 11	Served by Paper Publication with proof but no one has entered appearance
		12	Served in connected matter with CA No. 4277 of 2011
128	Represented by Mr. Ejaz Maqbool, Adv.	87	Represented by Mr. Ejaz Maqbool, Adv.
129, 130, 131	Represented by M/s. . Lawyer's Knit & Co., Advocates	88, 89, 90	Represented by M/s. . Lawyer's Knit & Co., Advocates

**There are total 86 Respondents in CA No. 1196 of 2012 AND 96 Respondents in CA No. 1197 of 2012**

Respondent Number in CA No. 1196/12	Service Position	Respondent Number in CA No. 1197/12	Service Position
1, 68	Represented by Ms. Rekha Pandey, Adv.	63, 15	Represented by Ms. Rekha Pandey, Adv.
14 to 17	Represented by Mr. A.V. Balan, Adv.	22 to 25	Represented by Mr A.V. Balan, Adv.

2 to 8, 24, 28, 29 to 36, 39, 45, 46, 54, 56 to 67, 70, 74, 79, 82 to 86	Served with Notice but no one has entered appearance	64 to 69, 16, 32, 36 to 44, 47, 53, 54, 1, 3 to 14, 70, 74, 95, 78 to 84, 86 to 88, 90 to 92	Served with Notice but no one has entered appearance
9, 10, 11, 12, 13, 18 to 23, 25 to 27, 37, 38, 40 to 44, 47 to 53, 55, 69, 71 to 73, 75 to 78, 80, 81	Application for deletion filed on 18.11.2016	2, 17, 18, 19, 20, 21, 26 to 31, 33 to 35, 45, 46, 48 to 52, 55 to 61 to 62, 71 to 73, 75, 76, 93, 94, 96, 77, 85 & 89	Application for deletion filed on 18.11.2016

**There are total 96 common Respondents in CA Nos. 7105-7106 of 2010**

Respondent Number in CA No. 7105/10	Service Position	Respondent Number in CA No. 7106/10	Service Position
1	Represented by Ms. Rekha Pandey, Adv.	63	Represented by Ms. Rekha Pandey, Adv.
2 to 9, 20, 24 to 32, 35 to 37, 41 to 46, 55 to 58, 64 to 68, 70, 78 & 79	Served with Notice but no one has entered appearance	64 to 69, 16, 17, 28, 32 to 40, 43 to 45, 49 to 54, 2 to 5, 11 to 15, 70, 94, 95	Served with Notice but no one has entered appearance
10 to 12, 14, 16 to 18, 21 to 23, 34, 39 to 40, 48, 50, 52 to 54, 60 to 62, 80	Served by Paper Publication with proof but no one has entered appearance	18 to 20, 22, 24 to 26, 29 to 31, 42 to 45, 47, 48, 56, 58, 60, 61, 1, 7 to 9, 96	Served by Paper Publication with proof but no one has entered appearance
13, 19, 33	Appeal abated vide Court's order dated 27.01.2015	21, 27, 41	Appeal abated vide Court's order dated 27.01.2015
38	Represented by Mrs. Prabha Swami, Adv.	46	Represented by Mrs. Prabha Swami, Adv.
83 to 96	Represented by Dr. Kailash Chand, Adv.	79 to 92	Represented by Dr. Kailash Chand, Adv.
47, 59, 74, 77, 81, 73, 75, 76, 72, 71, 49, 51	Represented by Mr. Manoj C. Mishra, Adv.	55, 6, 74, 93, 77, 73, 75, 76, 72, 71, 57, 59	Represented by Mr. Manoj C. Mishra, Adv.

69	Deleted from array of parties vide Court's Order dated 18.04.2016	62	Deleted from array of parties vide Court's Order dated 18.04.2016
15, 63, 82	<b>Service is Incomplete</b>	23, 10 & 78	<b>Service is Incomplete</b>

The matters above-mentioned are listed before the Ld. Registrar's Court with this Office Report.

Dated this, the 15<sup>th</sup> day of December, 2016.

ASSISTANT REGISTRAR

Copy to:

1. Mr. Abhijit Sengupta, Advocate, 407, Lawyer's Chamber,
2. Ms. Rekha Pandey, Advocate, 113, New Lawyer's Chambers.
3. Mr. B.K. Satija, Advocate, 88, Lawyer's chambers
4. Mrs. Anjani Aiyagari, Advocate, 42, Lawyer's Chambers,
5. Ms. Uttara Babbar, Advocate, 112, New Lawyer's Chambers,
6. Mr. A. Venyagam Balan, Advocate, Library, Tel. No.: 9873874363
7. Mr. R. Chandrachud, Advocate
8. M/s Lawyer's Knit & Co., Advocates

ASSISTANT REGISTRAR