

SECTION XIIA  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

**INTERLOCUTORY APPLICATION NOS. 3-4 OF 2016**

(Application for seeking permission to be impleaded the above named Applicants herein as Respondents)

IN

**PETITION FOR SPECIAL LEAVE TO APPEAL (C) NOS. 23864-23865 of 2011**

MASOOD HASHIM ALI & ANR

...PETITIONERS

-VERSUS-

B.CHINNA NARASIMHA & ORS.ETC.ETC.

...RESPONDENTS

**OFFICE REPORT ON DEFAULT**

The matters above-mentioned were listed before the Ld. Registrar Court on 4<sup>th</sup> May, 2016, when the following order was passed:-

“Ld. counsel for the petitioner has failed to take fresh steps in the respect of the unserved respondents despite opportunities given. Therefore, the matter shall be processed for listing before the Hon'ble Judge in Chambers for further directions. Await orders and list thereafter.”

Subsequently, the matters above-mentioned were listed before the Hon'ble Court (IN CHAMBER) on 11<sup>th</sup> July, 2016, when the following order was passed:-

“The impugned order in this case is dated 15.4.2010. The special leave petition was filed in the year 2011. Five years' have gone by since then. Most of the respondents are still unserved. Details of the unserved respondents are depicted in the office report dated 9.5.2016.

In the interest of justice, one further opportunity is granted to the learned counsel for the petitioner to effect service on the unserved respondents. Service be effected as returnable within ten weeks from today, subject to payment of Rs.10,000/- as cost, to be deposited with the Supreme Court Advocates-on-Record Welfare Trust, within four weeks from today.”

It is submitted that Mr. Ajay Choudhary, Advocate has on 11<sup>th</sup> August, 2016 filed an application for seeking permission to be impleaded the applicants

as Respondents herein with affidavit. The same is registered as I.A. Nos. 3-4 of 2016 and included in SLP paper-books.

It is further submitted that Mr. Ejaz Maqbool, counsel for the Petitioner has not taken fresh steps to complete service on unserved Respondent Nos. 2 to 11, 13 to 23, 25, 30 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, 17 to 19, 21 to 33, 35 to 53, 57 to 59, 64 to 71, 73 to 80, 82 to 84, 86 to 88, 91, 93, 95, 98 to 103, 105 to 108 in SLP (C) No. 23865 of 2011 so far.

It is further submitted that counsel has mentioned same Respondents at different serial numbers in the cause title of SLP (C) No. 23865 of 2011.

It is also submitted that there are 88 respondents in SLP 23864 and 108 respondents in SLP 23865 of 2011. Counsel for the petitioners has on 10<sup>th</sup> March, 2015 filed deficit spare copies. Show cause notice to all the Respondents was issued. Signed A. D. Cards have been received from Respondent Nos. 8, 12, 24, 26 to 29, 33 to 37, 40, 43, 46 to 48, 52 to 56, 58 to 61, 63 to 70, 72, 80, 81, 83 to 85, 88 in SLP (C) No. 23864 of 2011 and Respondent Nos. 85, 89, 90 in SLP (C) No. 23865 of 2011 but no one has entered appearance on their behalf so far. Mr. Rekha Pandey, Advocate has filed Vakalatnama/Appearance on caveat on behalf of Respondent No. 1 in SLP (C) No.23864 of 2011 and Respondent Nos.1 & 2 in SLP (C) No. 23865 of 2011 but no counter-affidavit has been filed so far.

Service is not complete on 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 so far.

The aforesaid default of the counsel for the petitioner in the matters are listed before the Hon'ble Court (IN CHAMBERS) with this office report for further directions.

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

ASSISTANT REGISTRAR

Copy to:

1. Mr. Ejaz Maqbool, Advocate, Ch. No. 319
2. Ms. Rekha Pandey, Advocate, 113, New Lawyer's Chambers
3. Mr. Ajay Choudhary, Advocate

ASSISTANT REGISTRAR