

LISTED ON :
COURT NO.:
ITEM NO. :

SECTION XIIA
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION NOS. 37-38 OF 2016

(Application for early hearing in CA Nos. 4731-4732 of 2010)

AND

INTERLOCUTORY APPLICATION NO. 10 OF 2016

(Application for early hearing in Civil Appeal No. 4733 of 2010)

AND

INTERLOCUTORY APPLICATION NOS. 29-30 OF 2016

(Application for early hearing in Civil Appeal Nos. 4734-4735 of 2010)

IN

CIVIL APPEAL NOS. 4731-4732, 4733 AND 4734-7435 OF 2010

T. RAVI & ANR. ETC.

...APPELLANTS

-VERSUS -

B. CHINNA NARASIMHA & ORS. ETC.

...RESPONDENTS

OFFICE REPORT

It is submitted to the Hon'ble Court that M/s. Lawyer's Knit & Co., Advocates and Mr. R. Chandrachud, Advocates has filed Application for early hearing in Civil Appeal Nos. 4731-4732 of 2010 and Civil Appeal No. 4733 of 2010. The same are registered as I.A. Nos. 37-38 of 2016 and I.A. No. 10 of 2016 respectively. The aforesaid Interlocutory Applications were mentioned before the Hon'ble Court on 4th October, 2016, when the Hon'ble Court was pleased to pass the following order:

“List the applications for earling hearing on 17th October, 2016, before an appropriate Bench.”

It is further submitted that Mr. Vipin Kumar Jai, Advocate has filed Application for early hearing in connected Civil Appeal Nos. 4734-4735 of 2010. The same are registered as I.A. Nos. 29-30 of 2016.

Service position of each matter is as under:-

C.A. Nos. 4731-4732 of 2010

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 4 & 7 in C.A. No. 4731 of 2010 and Respondent Nos. 66 to 68 and 70 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 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.

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, Respondent 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 on Lr. of deceased Respondent Nos. 5 and 69 in CA No. 4731 and 4732 of 2010 and Lr. of deceased Respondent Nos. 7 and 71 in CA Nos. 4731 and 4732 of 2010 respectively by affidavit of service but no one has entered appearance on their behalf so far.

C.A. No. 4733 of 2010

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. 49 & 56 are represented by M/s. Lawyer's Knit & Co., Advocates Respondent Nos. 48, 54 & 50, 55 are represented by Ms. T. Anamika, 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.

Service is complete on Respondent Nos. 2, 3, 7, 8, 11, 12, 13, 52-53, 73 to 75, 78, 87, 109 and 112 through affidavit of service but no one has entered appearance on their behalf 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, 51, 57-72, 77, 80-82, 84 and 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 incomplete on proposed Lr. of deceased Respondent Nos. 83 & 85 in CA No. 4733 of 2010.

C.A. No. 4734-4735 of 2010

It is also 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. 6 in CA No.4734/2010 & 72 in 4735/2010, 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 incomplete on proposed Legal Representatives of deceased Respondent Nos. 5 and 71 in CA Nos. 4734 & 4735/2010 and proposed Lr of deceased Respondent Nos. 7 and 73 in CA Nos. 4734 & 4735/2010.

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

Dated this, the 7th day of October, 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