

XIA

S U P R E M E C O U R T O F
R E C O R D O F P R O C E E D I N G S

I N D I A

BEFORE THE REGISTRAR M K HANJURA

Civil Appeal No(s). 5118-5159/2010

STATE OF KERALA Appellant(s)

VERSUS

SR. CELINE, MANAGER, K.C.E.M.G.H.S.S.ORS Respondent(s)

(with office report)

WITH
C.A. No. 4100-4101/2013
(With Interim Relief and Office Report)

Date : 21/11/2014 These appeals were called on for hearing today.

For Appellant(s)

Ms. Bina Madhavan, Adv.

Mr. M. T. George, Adv.

For Respondent(s)

Mr. A. Raghunath, Adv.

Mr. Romy Chacko, Adv.

Ms. Liz Mathew, Adv.

Mr. M.F. Philip, Adv.

UPON hearing the counsel the Court made the following
O R D E R

C.A. Nos. 5118-5159/2010

Signature Not Verified

The Office Report is that although by Order dated 4.9.2014 of

this

Digitally signed by

Madhu Grover

Date: 2014.11.22

Court four weeks time as last chance was given

to the
12:14:31 IST

learned

Reason: counsel for the appellant to file an applicatio

n for
deletion of the respondent No. 74 from the array of the parties,
yet he has not done the needful so far. Viewed in that context,

Item No.10

the matter shall be processed for listing before the Hon'ble Judge
in Chambers for further future directions. Await orders.

List

thereafter.

C.A. Nos. 4100-4101/2013

The office report is that the appellant and the respondent No. 2 have failed to file the statement of case, although they were notified to do so by notice dated 26.2.2011 of the Registry. Service of notice is complete on the respondent No.1 but no one has entered appearance on his behalf. Order XIX Rule 32 of the Supreme Court Rules,2013 provides that if the appellant does not file a statement of case within the time, as provided for in sub rule (1), it shall be presumed that the appellant has adopted the list of dates/synopsis containing chronology of events as filed at the time of presentation of petition for seeking special leave to appeal (SLP)/Appeal, as statement of case, and does not desire to file any further statement of case. The order further provides that if the respondent who has entered appearance does not file a statement of case within the time, as provided in Sub Rule(1) (i.e. 35 days) it shall be presumed that he does not desire to lodge the same. Therefore, in view of the rule position cited above no further opportunity for filing the statement of case is warranted to be given to the parties. Viewed thus, the matter shall be processed for listing before the Hon'ble Court under the rules.

(M K HANJURA)
Registrar

MG