

ITEM NO.5

COURT NO.9

SECTION IVA

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

Petition(s) for Special Leave to Appeal (Civil) No(s).13656-13684/2004

(From the judgement and order dated 06/05/2004 in WA Nos. 7543-7557/1996 c/w 7558-7571/1996 of The HIGH COURT OF KARNATAKA AT BANGALORE)

R. RAJASHEKAR AND ORS.

Petitioner(s)

VERSUS

TRINITY HOUSE BUILD COOP. SOCIETY & ORS.

Respondent(s)

(With appln.(s) for substitution and c/delay in filing the appln.and with prayer for interim relief)

WITH

S.L.P.(C) NO. 23336-23339 of 2004
(With prayer for interim relief)

S.L.P.(C) NO. 18090-18118 of 2004

(With appln(s) for bring on record the Lrs of deceased respondent Nos.12,13 & 16 in SLP 18090-18104/2004)

(With prayer for interim relief)

Date: 23/08/2005 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH
HON'BLE MR. JUSTICE S.H. KAPADIA

For Petitioner(s)

Mr.P.P.Rao, Sr.Adv.
Mr.R.S.Hegde, Adv.
Mr.Chandra Prakash, Adv.
Ms.Savitri Pandey, Adv.

2

Mr.T.S.Amar Kumar, Adv.
Mr.B.N.Prakash, Adv.

Mr.K.R.Krishnamurthy, Adv.
Mr. P.P. Singh, Adv.

Mr.Basava Prabhu S.Patil, Adv.
Mr. A.S. Bhasme, Adv.
Mr.B.Subrahmanya Prasad, Adv.

Mr.R.F.Nariman, Sr.Adv.
Mr.G.V.Chandrashekar, Adv.
Mr. T.N. Rao, Adv.

For Respondent(s)

Mr.K.K.Venugopal, Sr.Adv.
Mr.Altaf Ahmad, Sr.Adv.
Mr.B.K.Choudhary, Adv.
Mr.K.Lingraja, Adv.
Mr.Ashok Kumar Upadhyay, Adv.
Mr. E.C. Vidya Sagar,Adv.

Mr.K.Ramamorthi, Sr.Adv.
Mr. Irshad Ahmad,Adv.

Mr. Sanjay R. Hegde,Adv.

Mr.P.P.Singh, Adv.

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

It is submitted by Mr.K.K.Venugopal, learned senior counsel appearing on

behalf of the respondent-Society that he is instructed to say that all the parties are

represented before the Court through counsel. The opposite parties, however, dispute this

statement and state that in two out of the three matters, notices have not been issued to all

3

the parties and, in any case, they are not represented by counsel. A list has been

submitted before us. The Registry will examine the matter and take necessary steps so

that all unrepresented parties are served with notices.

If counsel for the parties concerned appearing in other connected matters

accept notice in the SLP where formal notice has not been issued, that shall be sufficient.

However, if there are respondents to whom notices have not been issued, notices be

issued to them by ordinary process. Dasti in addition. The notice shall mention that this

Court may dispose of the matters finally, if possible, on the next date of hearing.

Let notices be issued to all unrepresented respondents in these matters before us.

If any counter affidavit is to be filed that should be done within four weeks of the

receipt of the notice by the respondents.

Two weeks' time is granted for filing rejoinder thereafter.

Put up after service is complete.

(Satish K. Yadav)

Court Master

(Vijay Dhawan)

Court Master