

SECTION XVII

MATTER FOR - 2/12/2014

R/COURT NO. -

ITEM NO.

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 8447 OF 2011

WITH

CIVIL APPEAL NO. 8448 OF 2011

WITH

CIVIL APPEAL NOS. 9682-9683 OF 2011

New Holland Tractor (I) P. Ltd. Appellant

VERSUS

Mohan Lal Patidar & Ors. Respondents

OFFICE REPORT FOR PRE-FINAL HEARING

The matters above mentioned were listed before the Hon'ble Court on 23rd September, 2011, when the Court was pleased to pass the following order:-

'Leave granted.

Interim orders dated 11.09.2009 and 20.11.2009 are made absolute to last till the final disposal of the appeals.'

CA No. 8447/2011

It is submitted that there are three respondents in the matter. Respondent Nos. 1 and 2 are represented through Mr. Ashwani Kumar and Mr. K.V. Vijay Kumar, Advocates. Respondent No. 3 are served by way of A.D. card but no one has entered appearance. Original record of the matter has been received from National Consumer Disputes Redressal Commission, New Delhi available for ready reference. Counsel for the Appellant has not filed statement of case so far.

CA No. 8448/2011

It is submitted that there are three respondents in the matter. Respondent Nos. 1 and 3 are represented through Mr. Ashwani Kumar and Mr. Vishwajit Singh, Advocates. Respondent No. 2 are served by way of dasti service but no one has entered appearance. Original record of the matter has been received from National

Consumer Disputes Redressal Commission, New Delhi available for ready reference. Counsel for the Appellant has not filed statement of case so far.

CIVIL APPEAL NOS. 9682-9683/2011

The matters above mentioned were listed before the Hon'ble Court on 4th November, 2011, when the Court was pleased to pass the following order:-

'Leave granted.

Tag with Civil Appeal arising from SLP (C) No. 14704 of 2009.'

CA No. 9682/2011

It is submitted that there are three respondents in the matter. Respondent No. 1 is represented through Mr. K.V. Vijay Kumar, Advocate. Respondent Nos. 2 and 3 are served at SLP stage but no one has entered appearance so far. Original record of the matter has been received from National Consumer Disputes Redressal Commission, New Delhi available for ready reference. Counsel for the Appellant has filed statement of case but counsel for the Respondent No. 1 has not filed statement of case so far.

CA No. 9683/2011

It is submitted that there are three respondents in the matter. Respondent No. 2 and 3 are represented through M/s. K.V. Vijay Kumar and Rakesh Kumar, Advocates. Respondent Nos. 1 is served at SLP stage but no one has entered appearance so far. Original record of the matter has been received from National Consumer Disputes Redressal Commission, New Delhi available for ready reference. Counsel for the Appellant has filed statement of case but counsel for the Respondent Nos. 2 and 3 have not filed statement of case so far.

It is further submitted that proviso 32 (2) of Order XIX of New SCR, 2013 read as "Provided 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."

It is further submitted that proviso 32 (2) of Order XIX of New SCR 2013, "Provided that where as respondent, who has entered appearance, does not file a statement of case within the time, as provided in sub-rule (1), it shall be presumed that the respondent does not desire to lodge statement of case in the appeal.

The matters above mentioned are listed before the Learned Registrat Court for pre-final hearing with this office report under Order V (1) Rule 30 of SCR, 2013.

DATED THIS THE 1ST DAY OF DECEMBER, 2014.

ASSISTANT REGISTRAR

Copy to : Mr. Vishwajit Singh, Advocate
Mr. K.V. Vijay Kumar, Advocate
Mr. Ashwani Kumar, Advocate
Mr. Rakesh Kumar, Advocate

ASSISTANT REGISTRAR

HARISH