

i»¿LISTING ON 31.3.2014
COURT NO. 13
ITEM NO. 2
SEC.IVA

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 24890-24891 OF 2013
WITH PRAYER FOR INTERIM RELIEF

U.O.I. & Ors. .. Petitioners
-Versus-
Prakash Kumar Dixit .. Respondent

OFFICE REPORT

The matters above mentioned were listed before the Hon'ble Court on 12.07.2013 when the Court was pleased to pass the following Order:

"Delay condoned.

Notice.

Mr. Rahul Kaushik, learned counsel accepts notice.

In the meantime, there shall be stay of reinstatement of the respondent.

Three weeks' time is granted for filing counter affidavit. Rejoinder affidavit, if any, be filed within two weeks thereafter."

It is submitted that Mr. Rahul Kaushik, Advocate has on 08.08.2013 put in appearance on behalf of sole respondent and has on 31.10.2013 filed counter affidavit without filing the application for condonation of delay in filing counter affidavit as the same is barred by time by 90 days. Counter Affidavit have been included in the paper books.

It is further submitted that counsel for the petitioner has not filed rejoinder affidavit so far.

Service of show cause notice is complete.

Thereafter the matter above mentioned was listed before

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the Ld. Registrar Court on 03.02.2014 with an office report dated 31.01.2014 when he was pleased to pass the following order:

"In the present matter, it seems that as per the order dated 12.7.2013 passed by the Hon'ble Court, the sole respondent was supposed to file his counter affidavit within three weeks and rejoinder affidavit was to be filed within two weeks thereafter. However, the office report indicates that the counter affidavit is filed after the delay of about almost 90 days without any application for condonation of delay. The learned Advocate, Mr. Rishabh Sancheti, appearing on behalf of the sole respondent has undertaken to do the needful in two weeks' time. Copy of the counter affidavit be served on the other side and rejoinder affidavit be filed in the meanwhile but only after giving response to the application for condonation of delay.

On compliance of the above-noted direction, Registry to process the matter for listing before the Hon'ble Court for necessary orders/directions."

It is submitted that neither counsel for the sole respondent has filed an application for condonation of delay in filing the counter affidavit nor counsel for the petitioner has filed rejoinder affidavit till now.

In view of above said order, the matter above mentioned are listed before the Hon'ble Court with this office report.

Dated this the 28th day of March, 2014.

ASSISTANT REGISTRAR

COPY TO: 1. Mr. B.K. Prasad, Adv.

2. Mr. Rahul Kaushik, Adv.

ASSISTANT REGISTRAR

