

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

PETITIONS FOR SPECIAL LEAVE TO APPEAL ( C ) NOS. 33099 OF 2012, 33102 OF 2012, 39487 OF 2013, 39497 OF 2013 and 5244 of 2013, 2939, 2940, 2943, 2945, 2949, 2950 OF 2014, 26814, 25462 AND 25468 OF 2015

Assistant Commissioner (CT-II) and Ors.

.....Petitioners

-Versus-

Bharati Airtel Ltd. etc.

.....Respondent

OFFICE REPORT

SLP ( C ) NOS. 33099 of 2012, 33102 OF 2012 AND 5244 OF 2013

The matters above mentioned were listed before the Ld. Registrar's Court on 12<sup>th</sup> August, 2016 along with other connected matters, when the following order was passed:-

**“Respondent No. 1 has already filed the counter affidavit. Other respondents have failed to file the counter affidavit within the period stipulated under the rules. Viewed thus, the matters shall be processed for listing before the Hon'ble Court under the rules.”**

It is submitted that the matters above mentioned falls under complete catetory.

SLP ( C ) NO. 39487 OF 2013

The matter above mentioned was listed before the Ld. Registrar's Court on 12<sup>th</sup> August, 2016 along with other connected matters, when the following order was passed:-

**“The Ld. Counsel for the respondent No. 1 has failed to file the counter affidavit within the period stipulated under the rules. Respondent No. 3 (Union of India) is common party in SLP(C) Nos. 33492, 39494 and 39497/2013 and is represented by Mr. B.K. Prasad, Ld. Counsel . Hence, service deemed as complete.**

**Await the return of the service of notice already issued to the respondent No. 2.”**

It is submitted that there are three respondents in the instant matter. Respondent No. 1 is represented by Mr. Praveen Kumar, Advocate and Respondent Nos. 2 and 3 are represented by Mr. B.K. Prasad Advocate but no one has filed counter affidavits on behalf of their respective respondents so far.

Service of notice is complete.

**SLP (C ) NO. 39497 OF 2013**

The matter above mentioned was listed before the Ld. Registrar's Court on 12<sup>th</sup> August, 2016 along with other connected matters, when the following order was passed:-

**“ The served respondents have failed to file the counter affidavit within the period stipulated under the rules.**

**Await the return of the service of notice already issued to the unserved respondents.”**

It is submitted that there are three respondents in the instant matter. Respondent No. 1 is represented by Mr. Punit D. Tyagi, Advocate and Respondent No. 2 is represented by Mr. B. K. Prasad, Advocate but no one has filed counter affidavits on behalf of their respective respondents so far.

It is further submitted that neither A.D. Card nor unserved cover has been received back from Respondent No. 3 so far. As per the postal enquiry conducted, Respondent No. 3 has been served with notice. No one has entered appearance on behalf of the said respondent so far.

Service of notice is complete.

**S.L.P. © Nos. 2939, 2949, 2940, 2943, 2945 of 2014, 26814 and 25468 of 2015**

The matters above mentioned were listed before the Ld. Registrar's Court on 12<sup>th</sup> August, 2016 along with other connected matters, when the following order was passed:-

**“Served respondents have failed to file the counter affidavit within the period stipulated under the rules.**

**Fresh steps for the service of notice by usual mode to the unserved respondents shall be taken by the learned counsel for the petitioners within a period of four weeks, as last chance. ”**

**S.L.P. © Nos. 2939 and 2949 of 2014**

It is submitted that show cause notice was issued to unserved common respondent Nos. 2 and 3 by special messenger on 16<sup>th</sup> June, 2016 and the said notice has been delivered on R. No. 3 on 21<sup>st</sup> June, 2016. Service of notice is complete in respect of of R. No. 3.

It is further submitted that postal enquiry has been made in respect of respondent No. 2 and Postal report shows that notice has been served to respondent No. 2 on 13<sup>th</sup> July, 2016 but no one has filed Vakalatnama/Appearance on behalf of the said respondent so far. Service of notice is complete in respect of R.No. 2.

**S.L.P. © Nos. 2940, 2943 and 2945 of 2014**

It is submitted that show cause notice was issued to common unserved respondent Nos. 2 & 3 by registered A.D. Post on 14<sup>th</sup> June, 2016 in all the matters. Neither A.D. Card nor unserved cover containing the notice has been received back from common respondent Nos. 2 & 3 so far.

It is further submitted that postal enquiry has been made in respect of respondent Nos. 2 & 3 and postal report shows that notice has been served to respondent No. 3 on 17<sup>th</sup> June, 2016, but no one has filed Vakalatnama/Appearance on behalf of the said respondent so far. Postal report has not been received from the postal department in respect of respondent No. 2.

**S.L.P. © No. 26814 OF 2015**

It is submitted that counsel for the sole respondent has not filed counter affidavit so far.

**S.L.P. © No. 25468 OF 2015**

It is submitted that no one has filed Vakalatnama/Appearance on behalf of respondent No. 3 though served with notice.

It is further submitted that counsel for the petitioner has not taken any fresh step to serve notice to the unserved respondent No. 2 so far.

It is lastly submitted that counsel for respondent No. 1 has not filed counter affidavit so far.

**S.L.P. © No. 2950 OF 2014**

The matter above mentioned was listed before the Ld. Registrar's Court on 12<sup>th</sup> August, 2016 along with other connected matters, when the following order was passed:-

**“The served respondents have failed to file the counter affidavit within the period stipulated under the rules.**

**Await the return of the service of notice already issued to the unserved respondents.”**

It is submitted that show cause notice was issued to unserved respondent No. 1 on 14<sup>th</sup> June, 2016 by registered A.D. Post. Neither A.D. Card nor unserved cover containing the notice has been received back from respondent No. 1 so far.

It is further submitted that postal enquiry has been made in respect of respondent No. 1 and Postal report has not been received from the postal department in respect of respondent No. 1 so far.

**S.L.P. © No. 25462 OF 2015**

The matter above mentioned was listed before the Ld. Registrar's Court on 12<sup>th</sup> August, 2016 along with other connected matters, when the following order was passed:-

**“The Ld. Counsel for the respondent No. 1 has failed to file the counter affidavit within the period stipulated under the rules.**

**Fresh steps for the service of notice by usual mode to the respondent No. 2 shall be taken by the learned counsel for the petitioners within a period of four weeks, as last chance.”**

It is submitted that counsel for the petitioner has neither taken fresh steps to serve notice to the unserved respondent No. 2 nor filed an application for amendment of cause title alongwith certificate of Incorporation as the name of respondent No. 1 has been changed.

The office report is listed before the Ld. Registrar's Court for orders.

Dated this the 23<sup>rd</sup> day of September, 2016.

ASSISTANT REGISTRAR

Copy to :-

1. Mr. G.N. Reddy, Advocate  
1, Ashoka Road, New Delhi-01
2. Mr. R. Chadrachud, Advocate  
231, New Lawyers Chamber
3. Mr. B.K. Prasad, Advocate  
Central Agency Section.
4. M/s. Suresh A. Shroff & Co., Advocates

ASSISTANT REGISTRAR