

SECTION – XVI
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NOS.4352 AND 4467 OF 2007

Shib Charan Masher & Ors.

... APPELLANTS

-VERSUS -

Union of India & Ors.

... RESPONDENTS

OFFICE REPORT

These are appeals by special leave granted by this Hon'ble Court vide order dated 17.08.2007.

CA 4352/2007:

It is submitted that there are twenty-two respondents. Respondent nos.1-5 are represented through Mr. DS Mahra, Advocate. Certificate of service has been received in respect of respondent nos.6,8-20 and 22, but no one has entered appearance on their behalf. Appeal against respondent nos.7 and 21 stands abated in view of order dated 09.02.2015 of Hon'ble Judge-in-chambers.

Service of notice is complete.

CA 4467/2007:

It is submitted that there are thirty-five respondents. Ms. Priya Puri, Advocate has filed vakalat-appearance on behalf of respondent nos.1,2 and 4-9. Certificate of service has been received in respect of respondent nos.34 and 35 but no one has entered appearance on their behalf. In view of Id. Registrar's order dated 18.01.2013, dasti notice was issued to counsel for the appellant for effecting service of notice on respondent nos.3 and 10-33. Counsel for the appellant has filed affidavit with proof of service stating that notice has been served on respondent nos.3,10,11,13-17,19-22,23,25-30 and 33. Respondent nos.11,12,18,22,24,31 and 32 are reported to be 'dead'. Counsel has filed application for substitution to bring on record the lrs. Of the above deceased respondent which was defective. The defects of the appellants was lastly reported to the Hon'ble Judge-in-chambers on 17.09.2015 when the Court was pleased to pass the following order:-

“Learned counsel appearing for the respondents points out that though time was granted earlier to the appellants, the defects have not been cured till date.

However, at a specific request made on behalf of the learned counsel for the appellants, I am inclined to grant two weeks' further time, as a last chance, for doing the needful, as pointed out by the

Registry in its office report dated 03.07.2015.“

Service of show cause notice is not complete.

The matters above-mentioned are listed before the Hon'ble Court with this report.

DATED THIS THE 30th DAY OF SEPTEMBER, 2015.

ASSISTANT REGISTRAR

Copy to:- Mr. Ranjan Mukherjee, Advocate.
Mr.D.S. Mahra, Advocate, Advocate.
Ms. Priya Puri, Advocate.

ASSISTANT REGISTRAR