

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

**PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO. 24507 OF 2013**

(WITH PRAYER FOR INTERIM RELIEF)

UNION OF INDIA & ORS.

..PETITIONERS

-VERSUS-

NITIN KHAN & ANR.

...RESPONDENTS

**REVISED OFFICE - REPORT**

It is submitted that the matter above mentioned was listed before Hon'ble Court on 29.07.2013, when the Court was pleased to pass the following Order:

**"Heard Mr. Khanna, learned Additional Solicitor General appearing for the petitioners.**

**Delay condoned.**

**Issue notice.**

**Mr. T.N. Saxena, Advocate accepts notice on behalf of both the respondents and wants time to file reply. Four weeks' time is granted for filing reply. Notify this matter after four weeks.**

**In the meanwhile, the operation of the impugned order passed by the High Court shall remain stayed. "**

It is further submitted that in pursuance to aforesaid order, show cause notice returnable for 06.09.2013 issued to both the Respondents by registered A.D. Mr. Garvesh Kabra, Advocate appearing for Respondent No. 1 has on 27.11.2013 filed counter affidavit. Neither A.D. Card nor unserved cover containing notice received back from Respondent No. 2.

For non-appearance of Respondent No. 2, the matter above mentioned was listed before the Ld. Registrar's Court on 06.09.2013, when the Court was pleased to pass the following order:-

**It is pertinent to note that on 29.7.2013, the Hon'ble Court was pleased to pass the following order :-**

**"Heard Mr. Khanna, learned Additional Solicitor General appearing for the petitioners.**

**Delay condoned.**

**Issue notice.**

**Mr. T.N. Saxena, Advocate accepts notice on behalf of both the respondents and wants time to file reply. Four weeks' time is granted for filing reply. Notify this matter after four weeks.**

**In the meanwhile, the operation of the impugned order passed by the High Court shall remain stayed."**

Admittedly, the learned Advocate, Mr. T.N. Saxena, despite accepted notice on behalf of both the respondents and despite being granted four weeks' time for filing reply, has not taken any steps in the matter. In fact, as per the direction of the Hon'ble Court, the matter was required to be notified before the Hon'ble Court after four weeks.

Under such background, as there is no compliance of the directions by both the respondents, represented through the learned Advocate, Mr. T.N. Saxena, appearing on behalf of Mr. Garvesh Kabra, Advocate-on-Record, Registry to process the matter for listing before the Hon'ble Court, as directed."

It is submitted that A.D. Card has been received from Respondent No. 2. Mr. Garvesh Kabra, Advocate has filed vakalatnama and memo of appearance on behalf of Respondent No. 2 but no counter affidavit has been filed till date.

Service is complete.

The matter above mentioned is listed before the Hon'ble Court with this Office Report.

Dated this the 15th day of January, 2014.

ASSISTANT REGISTRAR

Copy to:

Mr. B.V. Balaram Das, Adv.

Mr. Garvesh Kabra, Adv.

ASSISTANT REGISTRAR