

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
BEFORE THE REGISTRAR S.G. SHAH

Petition(s) for Special Leave to Appeal (Civil) No(s).17581/2011

C.I.T & ANR

Petitioner(s)

VERSUS

M/S SHANKARANARAYANA INDUSTRIES
(With appln(s) for c/delay in filing SLP)
WITH SLP(C) NO. 17582 of 2011
(With office report)

Respondent(s)

Date: 29/03/2012 This Petition was called on for hearing today.

For Petitioner(s)

Ms. S. Rein, Adv.
Mr. B.V. Balaram Das, Adv.

For Respondent(s)

Mr. Krishna Dev, Adv.
Mr. Senthil Jagadeesan, Adv.

UPON hearing counsel the Court made the following
O R D E R

Learned counsel for the petitioner says that they are not getting the relevant information from the office of the Central Agency whenever the matters are listed before the Court. This is one of the major hurdle in completing the proceeding at the earliest.

If deemed proper, Registry shall place this fact before the competent authority to convey the Central Agency for the Central Government and the concerned State Authorities to take care of such situation, thereby they must provide basic information to the Advocate to whom the matter is

Item No.27 assigned on particular date. For most of the Government offices, whenever any Advocate appears before this Court, most of them are not aware about the basic information of their case, i.e., nature of the litigation so as to realize that how notice can be served at the earliest upon the unserved respondents, list of litigants to verify that who is served and who is unserved and actual position of service.

Practically, the above position prevails in majority of the cases wherein either Junior Advocates or Proxy

Advocates are appearing on behalf of the main Advocates and unfortunately they have tendency to say, whenever any fact is to be ascertained, that they are so instructed or they are Proxy counsel and therefore, they are not aware about the correct position.

The amendment of laws at relevant time may be followed for speedy justice but unfortunately in practice implementation of such law is not being done properly. To

avoid the above situation, before the Trial Courts, the Code of Civil Procedure was amended before a decade whereby plaintiff has to provide one additional set of pleadings while filing the suit so as to keep the record and track of the matter in order. No such practice is prevailing in Appellate

Courts and even in Apex Courts. It would not be out of place

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to state here that it would be appropriate that all the parties appearing before any Court either it may be the Court of Hon'ble Chamber Judge or it may be the Court of the Registrar, where service of notice and pleadings are to be verified for making the matter ready for final hearing, they should have at least a copy of the cause title and copy of all previous Records of Proceedings in their hands so as to help the judicial process to complete the administrative formalities for confirmation of service and to complete the pleadings at the earliest.

Everyone knows that huge amount is being spent now-a-days to upload all information on Internet, most of the information are very much available on Internet and, therefore, it would be very easy for them to keep such compilation ready and in order without spending much cost.

A question regarding non-supply of office report is repeatedly come up when this court has taken a view that since office reports are neither as per law and rule and non-mandatory and it was initially started only with a view to help the Court to realize the correct position, an attempt was

made to provide a customize Cause List and office report to
the Advocates through e-mail. Unfortunately, approximately
there are more than thousand Advocates-on-Record, Registry

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could not get e-mail ID of even one hundred Advocates and,
therefore, such facility could not be initiated.

The Members of the Bar and more practically, State
Authorities may come forward to disclose their e-mail Ids so
as to get the latest and better information at the earliest
position and thereby to complete the judicial process at the
earliest.

For the above observations, copy of this order be
forwarded to the E-Committee for taking necessary steps in the
matter.

Let there be a fresh notice with dasti service upon
the unserved respondents in SLP(C) No.17582/2011, which is
permitted to be served through the nearest Civil Court/Trial
court, where private parties are concerned and through
standing counsel, where state authorities are concerned, if
process fee and spare copies are paid/filed before 9.4.2012,
else list before the Hon'ble Judge in Chambers for non-
prosecution.

If notices are issued, list again on 11.5.2012.

In connected SLPs, served respondents may file
counter affidavit till then.

(S.G. SHAH)
REGISTRAR

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