

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).10778/2006

(From the judgment and order dated 14/03/2006 in LPA No.1684/2005 & SCA No.3290/2000 of The HIGH COURT OF GUJARAT AT AHMEDABAD)

DY. GEN. MANAGER, ONGC LTD. & ANR.

Petitioner(s)

VERSUS

RAMANBHAI KARSANBHAI VAGHELA & ANR.

Respondent(s)

(With prayer for interim relief)

WITH S.L.P.(C)...CC NO. 7079 of 2006
With I.A.1 (C/delay in filing SLP and office report)

Date: 15/05/2007 These Petitions were called on for hearing today.

For Petitioner(s) Mr. Gautam Jha, Adv.
for Ms. Ruby Singh Ahuja, Adv.

For Respondent(s) Mrs. V.D. Khanna, Adv.
Mr. Varinder Kr. Sharma, Adv.

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

Learned Advocate for the petitioners is complaining about non-receipt of proper Counter Affidavit, more particularly it is his say that some pages are missing in the copy of the Counter Affidavit supplied to him and therefore, it is his say that he is not in a position to file Rejoinder Affidavit.

It is pointed out in the office report dated 19th February, 2007 that Counter Affidavit has been filed without

.2.

serving the same to Ms. Ruby Singh Ahuja, Advocate-on-Record for the petitioners and it does not show correct page number also. Therefore, on 20th February, 2007 time was granted to the respondents to take appropriate steps to cure the defects stated in the office report dated 19th February, 2007, till 21st March, 2007. In office report dated 20th March, 2007 office has again reported that Respondent No.1 has not taken any step to cure the defects mentioned in the office report dated 19th February, 2007, that means Respondent No.1 has not cured the defects so far as page number in the Counter Affidavit, till date. It supports the submission of learned Advocate for the petitioners that he has not received proper counter affidavit and therefore, it is certain that he could not file Rejoinder Affidavit till date.

In view of all that, Respondent No.1 is directed to verify the record and to see that proper Counter Affidavit is supplied to the other side. If it is not done before 12th July, 2007, list the matters before the Hon'ble Chamber Judge. If proper Counter Affidavit is served on the other side before 12th July, 2007, petitioners may file Rejoinder Affidavit before 24th July, 2007 and in that case, list the matter before this Court on 24th July, 2007..

(S.G.SHAH)

s Registrar