

SECTION XVI

LISTED ON:29.10.2015

COURT NO.: R-1

ITEM NO. : 24

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO. 23795 of 2013

(With prayer for interim-relief)

U.O.I & ANR. ...Petitioner(s)

Versus

SURYU ROY & ORS. ...Respondent(s)

OFFICE REPORT

The matter above-mentioned was listed before Ld. Registrar on 13.08.2015 when he was pleased to pass the following order:

"Counter affidavit on behalf of respondent nos. 118, 119, 121 and 123 is already on record.

With regard to respondent Nos. 1, 117, 125 and 126, the office report is silent for filing counter-affidavit

Ld. Counsel for the respondent No.117 submits that she has already filed the counter-affidavit. Registry to verify and put up with appropriate office report regarding filing of the counter-affidavit by the date fixed next.

Despite opportunity granted earlier, the Ld. Counsel for the petitioner failed to take fresh steps for effecting service upon all the unserved respondents as mentioned in the office-report. However, four weeks' time, as last opportunity, is granted for the said purpose.

The office-report report further suggests that respondent nos. 3, 13, 16, 20, 24, 29, 36, 44, 47, 51, 58, 61, 63, 71, 72, 85 and 88 have expired. An application for substitution has yet not been filed to bring on record the legal heirs of those respondents. However, four weeks' time, as last opportunity, is granted for the same.

For rest of the respondents, service is complete but no one has put in appearance.

List again on 29.10.2015."

It is submitted that counsel has filed counter-affidavit on behalf of respondent no. 117 but no counter-affidavit has been filed on behalf of respondent nos. 1, 125 and 126, so far.

It is lastly submitted that the counsel for the petitioner has neither taken any fresh steps for the service on the deceased respondent nor filed spare copies for issue to the unserved respondents, so far.

Service of notice on unserved respondent is still awaited.

The matter is listed before the Ld. Registrar's Court with this office report.

Dated this the 28th day of October, 2015.

ASSISTANT REGISTRAR

Copy to: Mr.D.S Mahra, Advocate
Mr. Gopal Singh, Advocate
Mr.Bharat Sangal , Advocate
Mr.C. D Singh, Advocate
Mr. Amit Pawan, Advocate
Mr.A.K Prasad , Advocate

ASSISTANT REGISTRAR