

SECTION-XVI

LISTED On:12/08/2014

COURT No.:R-1

ITEM No.:78

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (Civil) No. 23795 of 2013

(With Prayer For Interim-Relief)

Union Of India & Anr.

... Petitioners

Versus

Suryu Roy & Ors.

... Respondents

OFFICE-REPORT

The matter above-mentioned was listed before the Learned Registrar's Court on 25/04/2014 when the Court was pleased to pass the following Order: -

"Barring respondent No.121, remaining duly represented respondent Nos.1, 117, 123, 125 and 126 have failed to file counter affidavit on record.

The learned counsel for respondent No.121 to serve the copy of the counter affidavit on the other side and necessary proof to be filed on record within three weeks.

On filing of the process fee and spare copies within four weeks, notice be issued forthwith to respondent Nos.2, 4, 6, 8, 11, 15, 16, 26, 30, 32, 40, 43, 48, 49, 50, 53, 54, 55, 64, 65, 73, 80, 84,86, 88, 97, 101 to 103, 112 and 124 through the concerned District Court besides usual mode.

The learned counsel for the petitioner to take steps for substitution of the legal representatives of the deceased respondent Nos.3, 13, 20, 24, 29, 36, 41, 42, 44, 47, 51, 58, 61, 63, 71, 72 and 85 within six weeks and on compliance, the same be processed as per rules.

In the event of default, the matter be placed before the Hon'ble Judge in Chambers for necessary orders/directions.

On behalf of respondent No.118, a submission at Bar has been advanced by the learned Advocate, Mr. Gaurav, appearing on behalf of Mr. Ardhendumauli Kumar Prasad, Advocate-on-Record that vakalatnama has been filed on 23.4.2014. Registry to verify. Complete set of the pleadings be served on the learned counsel within three weeks of which necessary proof be filed on record and thereafter counter affidavit be filed within four weeks.

List again on 12.8.2014."

It is submitted that Mr. C.D. Singh, Advocate has filed Counter Affidavit on behalf of Respondent No. 123 but copies of the same have not been served upon M/s. Bharat Sangal, Gopal Singh & Amit Pawan, Advocates.

It is further submitted that Mr. Ardhendumauli K. Prasad, Advocate has also on 23/7/2014 filed Counter Affidavit on behalf of Respondent Nos. 118 to 119.

It is further submitted that the Counsel for the Respondent No. 121 has not filed proof of service after serving copies of Counter Affidavit upon Mr. C.D. Singh and Amit Pawan, Advocate.

It is further submitted that Counsel for the Petitioner has not filed process fee hence show cause notice through the concerned District Court besides usual mode to Respondent Nos. 2, 4, 6, 8, 11, 15, 16, 26, 30, 32, 40, 43, 48, 49, 50, 53, 54, 55, 64, 65, 73, 80, 84, 86, 88, 97, 101 to 103, 112 & 124 could not be issue.

It is further submitted that the Counsel for the Petitioner has also not taken any steps for substitution of deceased Respondent Nos. 3, 13, 20, 24, 29, 36, 41, 42, 44, 47, 51, 58, 61, 63, 71, 72 & 85 till date.

It is further submitted with regard to Respondent No. 18 Mr. Ardhendumauli K. Prasad, Advocate has already filed Vakalatnama & memo of appearance and Counter Affidavit

The matter above-mentioned is listed before the Learned Registrar's Court with this Office-Report.

Dated this the 11th day of August, 2014.

Assistant Registrar

Copy to: - Mr. D. S. Mahra, Advocate
Mr. Bharat Sangal, Advocate
Mr. Gopal Singh, Advocate
Mr. C.D. Singh, Advocate
Mr. Amit Pawan, Advocate
Mr. Ardhendumauli, Advocate

Assistant Registrar