

SECTION XVI

LISTED ON:
COURT NO.: chambers
ITEM NO. :

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 FOR DIRECTIONS

The matter above-mentioned was listed before the Hon'ble Court on 22.07.2013 when the court was pleased to pass the following order:

"Notice on the application for condonation of delay as well as on the special leave petition.

In the meantime, there shall be stay of the operation of impugned judgment and order till further orders."

Accordingly show-cause notice was issued to all the 126 respondents. M/s Amit Pawan, Bharat Sangal, A.K Prasad, Gopal singh and C.D Singh, advocates have filed vakaltanama on behalf of respondent nos.1, 117, 118-119, 121 and 123 & 125-126 respectively.

It is submitted that M/s Bharat Sangal, A.K Prasad, Gopal Singh, and C.D. Singh, advocates has filed counter-affidavit on behalf of respondent nos. 117, 118-119, 121 and 123 respectively.

AD cards duly signed in respect of respondent nos. 10, 21, 35, 45, 49, 52, 62, 74, 79-80, 84, 86, 97, 101, 112 and 115 have been received back but no one has entered appearance on their behalf.

It is submitted that respondent nos. 5, 9, 12, 14, 17-19, 22-23, 25, 27-28, 31-34, 37-39, 46, 56-57, 59, 60, 64, 66-70, 75-78, 81-83, 87, 89-96, 98-100, 104-107, 110, 111, 113, 114, 116, 120 and 122 have been served through trial court.

It is further submitted that respondent nos. 3, 13, 16, 20, 24, 29, 36, 41, 42, 44, 47, 51, 58, 61, 63, 71-72, 85 and 88 are

expired and counsel for the petitioner has not taken any steps to bring lrs. on record for the above said deceased respondents.

It is further submitted that counsel for the petitioner has not taken any steps to effect service on unserved respondent nos. 2, 4, 6, 7-8, 11, 15, 26, 30, 40, 43, 48, 50, 53-55, 65, 73, 80, 102-103, 108-109, and 124, so far.

The matter above-mentioned was listed before Court of Registrar time to time and lastly on 29.10.2015 when he was pleased to pass the following order:

"Respondent No.117 has already filed the counter affidavit but the same is still awaited for respondent Nos. 1, 125 and 126. Be filed within four weeks' time, as last opportunity.

Petitioner has not taken steps to substitute the legal representative of the deceased respondent and to effect service on the remaining unserved respondents, despite effective opportunities.

The matter be placed before the Hon'ble Judge-in-chambers for further directions".

It is submitted that counsel for respondent nos. 1, 125 and 126 has not filed counter affidavit, so far.

It is further submitted that the counsel for the petitioner has neither filed any application for substitution to bring on record the legal representative of the deceased respondents nor taken any steps for effecting service on the unserved respondents, so far.

In view of the Ld. Registrar's order dated 29.10.2015 the matter is listed before the Hon'ble Judge-in-chamber with this office report for directions.

Dated this the 2nd day of November, 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