

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NOS. 19508, 19509, 19510, 19511
AND 19513 OF 2014

WITH
INTERLOCUTORY APPLICATION NO. 1
(Application For Condonation of Delay In Filing The SLPS)

Assistant Commissioner, Works Contract
& Leasing Tax, Rajasthan.

.....Petitioner

-Versus-

M/s. Mukesh Goyal etc.

.....Respondents

OFFICE REPORT

The matters above-mentioned were listed before the Hon'ble Court on 14th July, 2014 when the Court was pleased to pass the following order:-

**“Notice on the application for condonation of delay as
also on the Special Leave Petitions.
Tag with C.A. No. 4965/2008.”**

S.L.P (C) No. 19508 of 2014:

Accordingly, show cause notice was issued on 19th August, 2014 to the sole respondent by Registered A.D. Post. Unserved cover containing the notice has been received back with the postal remark “Expired” and counsel for the petitioner has not taken any appropriate steps despite this Registry's request.

S.L.P (C) No. 19509 OF 2014:

Accordingly, show cause notice was issued on 19th August, 2014 to the sole respondent by Registered A.D. Post. Neither A.D. Card nor unserved cover containing the notice has been received back from the sole respondent so far.

S.L.P (C) No. 19510 OF 2014:

Accordingly, show cause notice was issued on 19th August, 2014 to the sole respondent by Registered A.D. Post. Unserved cover containing the notice has been received back with the postal remark “Office left” and counsel for the petitioner has not furnished the latest and correct address of the sole respondent despite this Registry's request.

S.L.P (C) No. 19511 OF 2014:

Accordingly, show cause notice was issued on 19th August, 2014 to the sole respondent by Registered A.D. Post. Unserved cover containing the notice has been received back with the postal remark "Incomplete Address" and counsel for the petitioner has not furnished complete and correct address of the sole respondent despite this Registry's request so far.

S.L.P (C) No. 19513 OF 2014:

Accordingly, show cause notice was issued on 19th August, 2014 to the sole respondent by Registered A.D. Post. A.D. Card duly signed has been received back from the sole respondent but no one has filed Vakalatnama/Appearance on behalf of the said sole respondent so far. Service of notice is complete.

Thereafter, the office report with regard to service position was listed before the Ld. Registrar Court on 5th August, 2015, when the following order was passed:-

"SLP © No. 19508/2014

The office report is that the sole respondent has died. Ld. Counsel for the petitioner shall within a period of four weeks file an application for substitution to bring on record the Lrs. Of the said respondent.

SLP © No. 19509/2014

Fresh steps for the service of notice by usual mode to the unserved sole respondent shall be taken by the Ld. Counsel for the petitioner within a period of three weeks. Dasti in addition is permitted to be served through the District Court, the particulars of which shall be furnished by the Ld. Counsel for the petitioner within the period provided above.

SLP © No. 19510/2014 & SLP © No. 19511/2014

Ld. Counsel for the petitioner in both the matters shall within a period of four weeks file the fresh particulars of the sole respondent and he shall also take fresh steps for the service of notice to him within the same period. Dasti in addition is permitted to be served through the Trial Court, the particulars of which shall be furnished by the Ld. Counsel for the petitioner within the period provided above.

List the matter again on 15.10.2015.

SLP © No. 19513/2014

The office report indicates that service of notice is complete on the sole respondent, but no one has entered appearance on his behalf. Viewed thus, the matter shall be processed for listing before the Hon'ble Court as and when the connected ones get ready."

It is submitted that counsel for the petitioner has not taken any steps for service of notice to the unserved sole respondent in S.L.P. © Nos. 19509, 19510 and 19511 of 2014 and also not filed an application for substitution to bring on record the legal representatives of the deceased sole respondent in S.L.P. © 19508 of 2014 so far.

It is further submitted that the above-said matters are tagged with Civil Appeal No.4965 of 2008 etc. Hence the matters are listed before the Hon'ble Court with this office report.

Dated this the 31st day of August, 2015.

ASSISTANT REGISTRAR

Copy to:-
Mr. Milind Kumar, Advocate
12-A, Bikaner House, Pandara
Road, New Delhi.

ASSISTANT REGISTRAR

c1