

LISTED ON : 05.11.2014
COURT NO. : 01
ITEM NO. : 02

SECTION XII-A
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

**PETITION FOR SPECIAL LEAVE TO APPEAL (C) NOS. 26322-26323
OF 2009, 6086 OF 2010 AND 12811-12812 OF 2010**

WITH

**INTERLOCUTORY APPLICATION NOS. 1-2 in SLP(C)Nos. 26322-26323
of 2009 AND SLP (C) Nos. 12811-12812 of 2010**

(Application for condonation of delay in filing SLP)

AND

**INTERLOCUTORY APPLICATION NOS. 3-4 in SLP(C)Nos. 26322-26323
of 2009.**

(Application for permission to file additional documents)

AND

**INTERLOCUTORY APPLICATION NOS. 5-6 in SLP(C)Nos. 26322-26323
of 2009.**

(Application for permission to file additional documents)

AND

INTERLOCUTORY APPLICATION NO. 2 in SLP (C) No. 6086 of 2010.

(Application for pleading additional facts and taking additional documents)

WITH

PRAYER FOR INTERIM RELIEF

UNION OF INDIA & ANR.

...PETITIONERS

-VERSUS-

K. SUDAMA

...RESPONDENT

OFFICE REPORT

The SLP (C) Nos. 26322-26323 of 2009 were listed before the Hon'ble Court on 5th October, 2009, when the Hon'ble Court was pleased to pass the following Order:

“Issue notice on the applications for condonation of delay as well as on the Special Leave Petitions.

Status quo, as of today, shall be maintained by the parties.

Mr. L.R. Singh, advocate accepts notice on behalf of sole respondent. He prays for and is granted four weeks' time to file counter-affidavit. Two weeks' time thereafter is granted to file rejoinder-affidavit, if any.

List thereafter.”

The SLP (C) No. 6086 of 2010 was listed before the Hon'ble Court on 11th February, 2010, when the Hon'ble Court was pleased to pass the following Order:

“Delay condoned.
Issue notice.
Tag with SLP(C).....of 2009 @ CC 9896-9897 of 2009.”

The SLP (C) Nos. 12811-12812 of 2010 were listed before the Hon'ble Court on 23rd April, 2010, when the Hon'ble Court was pleased to pass the following Order:

“Issue notice on the applications for condonation of delay as well as on the Special Leave Petitions.
Tag with SLP(C) Nos. 26322-26323 of 2009.
List these matters on 14.7.2010.”

The matters above-mentioned were listed before the Hon'ble Court on 21th April, 2014, when the Court was pleased to pass the following Order:-

“Let the additional affidavit be filed by Learned counsel appearing in SLP(C) NO. 6086 of 2010, as requested.
List on 4th July, 2014.”

Subsequently, the matters above-mentioned were listed before the Hon'ble Court on 04th July, 2014, when the Court was pleased to pass the following Order:-

“List the matter on 21.08.2014.”

Subsequently, the matters above-mentioned were listed before the Hon'ble Court on 21st August, 2014, when the Court was pleased to pass the following Order:-

“At the request of learned counsel for the State of A.P. the matter is adjourned.
List on 05.11.2014.”

SLP(C) Nos. 26322-26323 of 2009:

It is submitted to the Hon'ble Court that sole respondent is represented by Ms. Anu Gupta, Advocate.

It is further submitted that Counter and Rejoinder Affidavit have been included in paper books.

Service is complete.

SLP(C) No. 6086 of 2010:

There are total four Respondent in the matter above mentioned. It is submitted that there are total four Respondents in the matter above-mentioned. Respondent No. 1 is represented by Mr. L.R. Singh, Advocate, but no counter affidavit has been filed. Service is complete on Respondent Nos. 2 to 4 through A.D. Card but no one has entered appearance so far.

It is submitted to the Hon'ble Court that Mr. Gopal Singh, Advocate has on 2nd July, 2014 filed additional affidavit alongwith application for pleading additional facts and taking additional documents on record in SLP (C) No. 6086 of 2010 and the same is registered as I. A. No. 2/2014 is already included in SLP paper books.

Service is complete.

SLP(C) No. 12811 of 2010.

There are total three respondents in the matter above-mentioned. A.D. cards duly signed have been received back from respondent nos. 2 and 3, but no one has entered appearance on their behalf. Ms. Anu Gupta, Advocate has filed Vakalatnama and appearance on behalf of respondent no. 1, but no counter affidavit has been filed so far.

Service is complete.

SLP(C) No. 12812 of 2010.

There are total 32 respondents in the matter above-mentioned. Ms. Anu Gupta, Advocate has on 20th August, 2014 filed vakalatnama on behalf of respondent nos. 3 to 29. Counter Affidavit on behalf of Respondent No. 1 to 9 and 11 to 29 has already been filed but no counter-affidavit has been filed on behalf of Respondent No. 10 so far. A.D. cards duly signed have been received back from respondent no. 32, but no one has entered appearance on their behalf.

Service is complete in respect of respondent nos. 30 and 31 through affidavit of service.

It is further submitted that Ms. Anu Gupta Counsel for Respondent has filed a letter dated 2nd October, 2011 alongwith Vakalatnama stating therein that Sri G. Shivaiah, the Managing Committee member/President

died on 25th August, 2011 as per para (5), Clause (d) Sri. Pavan G. Gwalani S/o G. Gwalani, aged 43 years, Occ: Business, R/o H. No. 15-146/A, P. G., Road, Secunderabad has been nominated as a president of the Society with effect from 2nd October, 2011. (Copy of letter is enclosed herewith)

It is also submitted that Counsel for the Petitioner has not filed proper application for substitution the name of deceased Respondent Nos.1 and 2 viz G. Shivaiah.

Service is not complete.

The aforesaid matters alongwith applications above-mentioned are listed before the Hon'ble Court with this office report.

Dated this, the 3rd day of November, 2014.

ASSISTANT REGISTRAR

Copy to :

1. Mr. B.K. Prasad, Advocate.
2. Ms. Anu Gupta, Advocate.
3. Mr. Gopal Singh, Advocate
4. Mr. L.R. Singh, Advocate
5. Ms. Anil Katiyar, Advocate

ASSISTANT REGISTRAR