

SECTION-IX
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 21303-21329 OF 2009
WITH PRAYER FOR INTERIM RELIEF

WITH
INTERLOCUTORY APPLICATION NOS. 42-81
(Applications for condonation of delay in filing SLPs)

PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 21331-21370 OF 2009
WITH PRAYER FOR INTERIM RELIEF

WITH
INTERLOCUTORY APPLICATION NOS. 122-161

(Applications for vacation of stay filed by Mr. Shivaji M. Jadhav, Advocate for Respondents)

WITH
INTERLOCUTORY APPLICATION NOS. 162-201
(Applications for Directions filed by Mr. A. P. Mayee, Advocate for Respondents)

WITH
INTERLOCUTORY APPLICATION NOS. 202
(Application for permission to file additional documents in SLP(C) No. 21334 of 2009 filed by Mr. E.C. Agrawala, Advocate for Respondent No. 1)

AND
INTERLOCUTORY APPLICATION NOS. 204
(Application for recalling Court's Order dated 13th August, 2009 in SLP(C) No. 21334 of 2009 filed by Mr. E.C. Agrawala, Advocate for Respondent No. 1)

WITH
PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 213-214 OF 2009
WITH PRAYER FOR INTERIM RELIEF

WITH
PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 216-217 OF 2009
WITH PRAYER FOR INTERIM RELIEF

WITH
PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 472-473 OF 2009
WITH PRAYER FOR INTERIM RELIEF

WITH
PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 483-484 OF 2009
WITH PRAYER FOR INTERIM RELIEF

WITH
PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 730-731 OF 2009
WITH PRAYER FOR INTERIM RELIEF

WITH
PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 830-831 OF 2009
WITH PRAYER FOR INTERIM RELIEF

WITH
PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 890-891 OF 2009
WITH PRAYER FOR INTERIM RELIEF
WITH
PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 894-895 OF 2009
WITH PRAYER FOR INTERIM RELIEF
WITH
PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 1264-1265 OF 2009
WITH PRAYER FOR INTERIM RELIEF
WITH
PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 1273-1274 OF 2009
WITH PRAYER FOR INTERIM RELIEF
WITH
PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 27921 OF 2009
WITH PRAYER FOR INTERIM RELIEF
WITH
PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 27922 OF 2009
WITH PRAYER FOR INTERIM RELIEF
WITH
PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 28032 OF 2009
WITH PRAYER FOR INTERIM RELIEF
WITH
PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 14888-14896 OF 2011
WITH PRAYER FOR INTERIM RELIEF

BABIBAI BABU PATIL

....PETITIONER

-VERSUS-

STATE OF MAHARASHTRA & ORS.

...RESPONDENTS

OFFICE REPORT

SPECIAL LEAVE PETITION (CIVIL) NOS. 21303-21329 OF 2009 AND 21331-21370 OF 2009

The matters above mentioned were listed before the Hon'ble Court on 13th August, 2009, when the Court was pleased to pass the following Order:-

“Permission to file SLP is granted.

Issue notice on the application for condonation of delay as also on the SLP.

Interim stay of enhancement granted by the High Court.

Tag with SLP(C) No. 213-214/2009 and connected cases.”

SLP (C) NOS.21303-21329 OF 2009

It is submitted that service of notice is complete on all the respondents in the instant matters. Position of the represented respondents is as follows : ..3/-

SLP No.	Respondent No.	Represented By	Whether Counter Filed or Not
21304/09	1 to 3	Mr. A.P. Mayee	Not filed
21305/09	1	Mr. Sudhanshu S. Choudhari	Not Filed
21306/09	1	Mr. Sudhanshu S. Choudhari	Not Filed
21308/09	3	Mr. Sudhanshu S. Choudhari	Not Filed
21315/09	1 to 4	Mr. Sudhanshu S. Choudhari	Not Filed
21316/09	1	Mr. Sudhanshu S. Choudhari	Not Filed
21317/09	1	Mr. Sudhanshu S. Choudhari	Not Filed
21319/09	4	Mr. Sudhanshu S. Choudhari	Not Filed
21321/09	1 and 2	Mr. Sudhanshu S. Choudhari	Not Filed
21322/09	2 and 3	Mr. Sudhanshu S. Choudhari	Not Filed
21326/09	1 to 4	Mr. Sudhanshu S. Choudhari	Not Filed
21328/09	1	Mr. Sudhanshu S. Choudhari	Not filed
21329/09	1 to 7 and 9 to 12	Mr. Sudhanshu S. Choudhari	Not Filed

It is further submitted that Counter Affidavit has been filed on behalf of the State of Maharashtra in the instant matters and the same has already been included in the paper books.

Service of notice is complete.

SLP (C) NOS. 21331-21370 OF 2009

Thereafter, interlocutory application nos. 122-161 i.e. applications for vacating stay and interlocutory application nos. 162-201 i.e. applications for directions were mentioned before the Hon'ble Court on 06.05.2010 when the Court was pleased to pass the following Order:

“List the I.As along with SLPs immediately after summer vacation. ”

And lastly interlocutory application no. 204 of 2014 application for recalling court's order dated 10.08.2009 was listed before the Hon'ble Court on 28.02.2014 in SLP (C) No. 21334/2009 when the Court was pleased to pass the following Order:

“Interlocutory application no. 204 of 2014 may be listed along with the main matter.

Now since the service is complete, Registry shall act as per the order dated 25.08.2010.”

It is submitted that service of notice is complete on all the respondents in the instant matters. Position of the represented respondents is as follows :

SLP No.	Respondent No.	Represented By	Whether Counter Filed or Not
21331/09	1 to 15	Mr. A.P. Mayee	Filed and included in paper books.
21332/09	1 to 15	Mr. A.P. Mayee	Not Filed
21334/09	1	Mr. E.C. Agrawala	Filed and included in paper books
21338/09	1a to 1d	Mr. Shivaji M. Jadhav	Not Filed
21339/09	1/2 to 1/4, 1/5a to 1/5f	Mr. Shivaji M. Jadhav	Filed and included in paper books.
21343/09	2	Mr. A.P. Mayee	Not Filed
21344/09	1	Mr. Shivaji M. Jadhav	Not Filed
21348/09	1	Mr. Shivaji M. Jadhav	Not Filed
21349/09	1 and 2	Mr. Shivaji M. Jadhav	Not Filed

It is further submitted that counter affidavit has been filed on behalf of the state of Maharashtra and the same has already been included in the paper books.

It is lastly submitted that Mr. E. C. Agrawala, Advocate has filed additional documents in SLP (C) No. 21334/2009 and the same has already been included in the paper books.

Service of notice is complete.

SPECIAL LEAVE PETITION (CIVIL) NOS. 213-214, 216-217, 472-473, 483-484, 730-731, 830-831, 890-891, 894-895, 1264-1265 AND 1273-1274 OF 2009

The matters above mentioned were listed before the Hon'ble Court on 10th August, 2009, when the Court was pleased to pass the following Order:-

“ Learned counsel for the petitioner submits that in SLP(C) No. 213-214/2009, by oversight, in paragraph 1 and in the cause-title, he has omitted to state that he is challenging the judgment dated 31.7.2008 in F.A. No. 1512/2006 and seeks leave to amend the same so that the challenge is to the main judgment also.

Permitted. Amendment to be carried out.

Issue notice in all the cases.”

SPECIAL LEAVE PETITION (CIVIL) NOS. 213-214, 216-217, 472-473, 483-484, 730-731, 830-831, 890-891, 894-895, 1264-1265, 1273-1274 OF 2009, 21303-21329, 21331-21370, 27291, 27922 AND 28032 OF 2009

The matters above-mentioned were listed before the Hon'ble Court on 25th August, 2010, when the Court was pleased to pass the following Order:-

“We find that the service is not complete. The concerned petitioner to take fresh steps to serve the unserved respondents. Fresh notice returnable in four weeks. Dasti in addition.

The application for modification of interim order in the case of CIDCO – SLP (C) Nos. 21331-21370 of 2009, is rejected.

List the SLPs for final disposal immediately after service is complete.”

SLP (C) NOS. 213-214 OF 2009

It is submitted that there are five common respondents in the instant matters. All the respondents are represented by Mr. A.P. Mayee, Advocate but no counter affidavit has been filed so far.

Service of notice is complete.

SLP (C) NOS. 216-217 OF 2009

It is submitted that there are three common respondents in the instant matters. Respondent No.1 is represented by Mr. A.P. Mayee, Advocate and respondent Nos. 2 and 3 are represented by Mr. Sudhanshu S. Choudhari, Advocate. No counter affidavits have been filed so far.

Service of notice is complete.

SLP (C) NOS. 472-473 OF 2009

It is submitted that there are five common respondents in the instant matters which are the state authorities and are already represented by Mr. A.P. Mayee, Advocate in SLP (C) NOS. 213-214 OF 2009.

Service of notice is complete.

SLP (C) NOS. 483-484 OF 2009

It is submitted that there are five common respondents in the instant matters which are the state authorities and are already represented by Mr. A.P. Mayee, Advocate in SLP (C) NOS. 213-214 OF 2009.

Service of notice is complete.

..6/-

SLP (C) NOS.730-731 OF 2009

It is submitted that there are two common respondents in the instant matters. Respondent No.1 is a state authority and has already been represented by Mr. A.P. Mayee, Advocate in SLP (C) NOS. 213-214 OF 2009. Respondent No.2 also common respondent No.2 in SLP (C) Nos. 894-895 of 2009 has been represented by Mr. Sudhanshu S. Choudhari, Advocate. But no counter affidavit has been filed so far.

Service of notice is complete.

SLP (C) NOS. 830-831 OF 2009

It is submitted that there is a sole respondent in the instant matters. The said respondent is the state authority and has already been represented by Mr. A.P. Mayee, Advocate in SLP (C) NOS. 213-214 OF 2009.

Service of notice is complete.

SLP (C) NOS. 890-891 OF 2009

It is submitted that there is a sole respondent in the instant matters. The said respondent is the state authority and has already been represented by Mr. A.P. Mayee, Advocate in SLP (C) NOS. 213-214 OF 2009.

Service of notice is complete.

SLP (C) NOS. 894-895 OF 2009

It is submitted that there are two common respondents in the instant matters. Respondent No.1 is a state authority and has already been represented by Mr. A.P. Mayee, Advocate in SLP (C) NOS. 213-214 OF 2009. Respondent No.2 has been represented by Mr. Sudhanshu S. Choudhari, Advocate. But no counter affidavit has been filed so far.

Service of notice is complete.

SLP (C) NOS. 1264-1265 OF 2009

It is submitted that there are five common respondents in the instant matters which are the state authorities and are already represented by Mr. A.P. Mayee, Advocate in SLP (C) NOS. 213-214 OF 2009.

Service of notice is complete.

SLP (C) NOS. 1273-1274 OF 2009

It is submitted that there is a sole respondent in the instant matters. The said respondent is the state authority and has already been represented by Mr. A.P. Mayee, Advocate in SLP (C) NOS. 213-214 OF 2009.

Service of notice is complete.

SPECIAL LEAVE PETITION (CIVIL) NOS. 27921, 27922 AND 28032 OF 2009

The matters above mentioned were listed before the Hon'ble Court 19th October, 2009, when the Court was pleased to pass the following Order:-

“Issue notice.

List alongwith SLP(C) No. 213-214 of 2009.”

SLP (C) NO. 27921 OF 2009

It is submitted that there are two respondents in the instant matter. Both the respondents are represented by Mr. A.P. Mayee, Advocate but no counter affidavit has been filed so far.

Service of notice is complete.

SLP (C) NO. 27922 OF 2009

It is submitted that there are six respondents in the instant matter. Respondent Nos. 1 and 2 are the state authorities and are represented by Mr. A.P. Mayee, Advocate in SLP (C) NOS. 213-214 OF 2009. Respondent Nos. 3 to 6 are represented by Mr. Sudhanshu S. Choudhari, Advocate but no counter affidavit has been filed so far.

It is further submitted that Mr. Sanjay Kumar Visen, Advocate has filed vakalatnama and appearance on behalf of the petitioner after obtaining “No Objection” from the erstwhile advocate but the said petitioner is not a party in the instant matter.

Service of notice is complete.

SLP (C) NO. 28032 OF 2009

It is submitted that there are two respondents in the instant matter. Respondent No.1 is a state authority and has already been represented by Mr. A.P. Mayee, Advocate in SLP (C) NOS. 213-214 OF 2009.

Service of notice is complete.

SLP (C) NOS. 14888-14896 OF 2011

It is submitted that there is a common sole respondent in the instant matters. A.D.

Card duly signed has been received back but no one has entered appearance on behalf of the said respondent so far. The said respondent is the state authority and has already been represented by Mr. A.P. Mayee, Advocate in SLP (C) NOS. 213-214 OF 2009.

Service of notice is complete.

And lastly the matters above mentioned were listed before the Hon'ble Court on 7th January, 2015, when the Court was pleased to pass the following Order:-

“List the matters before the Bench of which one of us (Mr. Justice Rohinton Fali Nariman) is not a member.”

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

Dated this the 9th day of March, 2015.

ASSISTANT REGISTRAR

Copy to:-

Mr. Subhash Chandra Birla, Advocate
Mr. Gopal Balwant Sathe, Advocate
Mr. E.C. Agrawala, Advocate
Mr. A.P. Mayee, Advocate
Mr. Shivaji M. Jadhav, Advocate
Mr. Sudhanshu S. Choudhari, Advocate

ASSISTANT REGISTRAR