

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

BEFORE THE REGISTRAR M.A. SAYEED

Petition(s) for Special Leave to Appeal (Civil) No(s).23943/2011

CHHAVI & ORS.

Petitioner(s)

VERSUS

SURTA & ORS.

Respondent(s)

(With prayer for interim relief and office report)
WITH SLP(C) NO. 14216 of 2012
(With office report)
SLP(C) NO. 14219 of 2012
(With office report)
SLP(C) NO. 14220 of 2012
(With office report)
SLP(C) NO. 14365 of 2012
(With office report)
SLP(C) NO. 14368 of 2012
(With office report)
SLP(C) NO. 14369 of 2012
(With office report)
SLP(C) NO. 15981 of 2012
(With office report)
SLP(C) NO. 15985 of 2012
(With office report)
SLP(C) NO. 15987 of 2012
(With office report)
SLP(C) NO. 15989 of 2012
(With office report)
SLP(C) NO. 15990 of 2012
(With office report)
SLP(C) NO. 18079 of 2013
(With office report)
SLP(C) NO. 28036 of 2011
(With office report)
SLP(C) NO. 28070 of 2011
(With prayer for interim relief and office report)
SLP(C) NO. 28102 of 2011
(With prayer for interim relief and office report)

Date: 04/04/2014 This Petition was called on for hearing today.

For Petitioner(s)

Mr. Dhiraj, Adv.
Mr. P.N. Puri, Adv.

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Mr. Shish Pal Laler, Adv.
Mr. Balbir Singh Gupta, Adv.

For Respondent(s)

Mr. Ramesh Punia, Adv.
Mr. K.R. Punia, Adv.
Ms. Sharda Hooda, Adv.
Mr. Rakesh Mudgal, Adv.
Mrs. Santosh Singh, Adv.
Mr. Balbir Singh Gupta, Adv.
Mr. Manjit Singh, Adv.
Mr. Kamal Mohan Gupta, Adv.
Mr. Shish Pal Laler, Adv.
Mr. Balbir Singh Gupta, Adv.

UPON hearing counsel the Court made the following
O R D E R

SLP(C) No.23943/2011

The learned counsel for the petitioner has undertaken to file the amended Memo of cause title within two weeks and on compliance notice be issued to the newly added respondents - State Bank of Patiala. Notice be reissued to the concerned respondents on filing of the process fee and spare copies within two weeks through the concerned District Court besides usual mode.

The office report further indicates that an application for deletion of respondent No.1 as well as the application for exemption from filing official translation have also been moved on record which are suffering from certain defects. The learned counsel for the petitioner has undertaken to cure those omissions/defects in two weeks and on compliance the same be processed as per rules.
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SLP(C) No.28036/2011

In all there are 79 respondents, out of which respondent Nos.12, 18, 29, 34, 35, 39, 43 and 45 are yet to be served. Service be effected on them through dasti, as prayed. Steps as per rules be taken.

So far as the duly served and duly represented respondents are concerned, it appears that on behalf of respondent Nos.1 to 4, 5, 9 to 11, 13, 25, 26, 30-33, 44, 46-75, counter affidavit seems to have been filed without filing vakalatnama on behalf of respondent No.5. Omission be rectified within four weeks.

Similarly, on behalf of respondent No.5, counter affidavit seems to have been filed by the learned Advocate, Mrs.Santosh Singh but instead of having double space it has been typed in one and a half space. Omission/defects be cured within four weeks by the learned counsel for the said

respondent and proper counter affidavit in proper format be filed on record.

Respondent Nos.12, 34 and 35 are reported to have expired and the learned counsel for the petitioner to take steps for substitution of their legal representatives within four weeks and on compliance, the same be processed as per rules.

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SLP(C) No.28070/2011

Counter affidavit on behalf of respondent No.1 seems to have been filed by the same Advocate, Mrs.Santosh Singh but instead of having double space, it has been typed in one and a half space. Omission/defects be cured within four weeks and proper counter affidavit in proper format be filed on record.

Service on respondent Nos.2 to 4 be effected by fresh dasti, as prayed. Steps as per rules be taken.

SLP(C) No.28102/2011

Counter affidavit on behalf of respondent Nos.1 to 3 has already come on record.

Counter affidavit on behalf of respondent No.4 seems to have been filed with the same Advocate, Mrs.Santosh Singh but instead of having double space, it has been typed in one and a half space. Omission/defects be cured within four weeks and proper counter affidavit in proper format be filed on record.

Respondent No.5 is reported to be duly and properly served but none appeared on his behalf.

Service on respondent No.6 be effected by fresh dasti, as prayed. Steps as per rules be taken.

SLP(C) Nos.15981,15985,15987,15989 and 15990/2012

Status of the matters is shown in the Tabular Chart, Item No.16

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a perusal of which indicates that service on some of the

respondents is still incomplete while respondent No.1 in SLP(C) No.15981/2012, respondent No.4 in SLP(C) No.15987 and respondent Nos.5 and 7 in SLP(C) No.15989/2012 are reported to be have expired. The learned counsel for the petitioner to take steps for substitution of the legal representatives within four weeks and on compliance the same be processed as per rules.

Remaining respondents to file their counter affidavit within six weeks subject to service of the complete set of the pleadings on the learned counsel appearing on their behalf within two weeks of which necessary proof be filed on record.

Notice be reissued to the unserved respondents through the concerned District Court besides usual mode. In addition, dasti allowed, to be served through the learned counsel already appearing for them in the other connected matters.

In SLP(C) No.15989/2012, counter affidavit on behalf of respondent Nos.1 to 3 has already come on record.

SLP(C) No.14216//2012

Respondent Nos.1 to 3 and 5 are reported to be duly and properly served through the Ld. Trial Court but none appeared on their behalf.

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The learned counsel for the petitioner to cure the defects in the application for substitution of proposed legal representatives of the deceased respondent No.4 within four weeks and on compliance the same be processed as per rules.

SLP(C) No.14220/2012

Respondent Nos.1 to 3 and 5 are reported to be duly and properly served but none appeared on their behalf.

Counter affidavit on behalf of respondent No.4 has already come on record.

Further necessary orders to be passed as and when

the other connected matters would become ready.

SLP(C) No.14365/2012

Counter affidavit on behalf of respondent No.1 has already come on record.

Respondent Nos.4 to 7 are granted six weeks' time for filing counter affidavit on record subject to service of the complete set of the pleadings on the learned counsel appearing on their behalf within two weeks of which necessary proof be filed on record.

Respondent Nos.2 and 3 are reported to be duly and properly served but none appeared on their behalf.

SLP(C) No.14368/2012

Counter affidavit on behalf of respondent No.1 and 3 to 5 has already come on record.
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Respondent Nos.2, 6, 7 and 10 to 13 are granted six weeks' time for filing counter affidavit on record subject to service of the complete set of the pleadings on the learned counsel appearing on their behalf within two weeks of which necessary proof be filed on record.

Respondent Nos.8 and 9 are reported to be duly and properly served but none appeared on their behalf.

Further necessary orders to be passed as and when the other connected matters would become ready.

SLP(C) No.14369/2012

Counter affidavit on behalf of respondent Nos.1 and 2 has already come on record.

Respondent Nos.3 and 4 are reported to be duly and properly served but none appeared on their behalf.

Six weeks' time is granted to respondent Nos.5 to 8 for filing counter affidavit subject to service of the complete set of the pleadings on the learned counsel appearing on their behalf within two weeks of which necessary proof be filed on record.

SLP(C) No.14219/2012

The matter falls under the completed category.

It be processed for listing before the Hon'ble

Court, as per rules.

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SLP(C) No.18079/2013

Sole respondent is granted six weeks' time for

filing counter affidavit on record subject to service of the

complete set of the pleadings on the learned counsel appearing

on their behalf within two weeks of which necessary proof be

filed on record.

List again on 4.7.2014.

(M.A. SAYEED)
REGISTRAR

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