

SECTION – IX
IN THE SUPREME COURT OF INDIA
CIVIL APPEAL ATTE JURISDICTION

CIVIL APPEAL NOS. 7732 OF 2011, 5514 & 5515 OF 2012 AND SLP (C) NOS. 2989 OF 2014
AND 16373-16375 OF 2013

WITH

INTERLOCUTORY APPLICATION NO.6

(Application for Directions in Civil Appeal No. 7732 of 2011)

WITH

INTERLOCUTORY APPLICATION NO.7

(Application for permission to place on record additional documents in Civil Appeal No. 7732 of 2011)

WITH

INTERLOCUTORY APPLICATION NO.6

(Application for Directions filed by the appellant in Civil Appeal No. 5514 of 2012)

WITH

INTERLOCUTORY APPLICATION NO.7

(Application for Directions u/s 340 Cr. P.C. filed by the respondent in Civil Appeal No. 5514 of 2012)

WITH

INTERLOCUTORY APPLICATION NO.8

(Application for permission to file additional documents in IA No. 7 in Civil Appeal No. 5514 of 2012)

FORESHORE CO-OP.HNG.SOCIETY LTD.

...APPELLANT

-VERSUS-

PRAVEEN D DESAI (D) THR.LRS. & ORS.

...RESPONDENTS

OFFICE REPORT

The matters above-mentioned were listed before the Hon'ble Court on 10th December, 2014, when the Court was pleased to pass the following Order:

“As jointly prayed, list these matters on 20th January, 2015 at the top of the Board.”

It is submitted for information of the Hon'ble Court that Mr. Subramonium Prasad, Advocate for respondent No.8 has filed additional documents (Vol. IV to XIII) alongwith an application for permission to place on record additional documents in Civil Appeal No. 7732 of 2011 and the same are being circulated before the Hon'ble Court with this report.

Service is complete in Civil Appeal No. 7732 of 2011 and 5514 & 5515 of 2012.

SLP (C) NO. 2989 OF 2014

The matter above-mentioned was listed before the Hon'ble Court on 24th January, 2014, when the Court was pleased to pass the following Order :-

“Delay condoned.

Issue notice on the Special Leave Petition as well as on the prayer for interim relief, returnable on 7th March, 2014.

Dasti service, in addition, is permitted.

Tag with SLP(C)No.24880 of 2012.”

It is submitted that there are seven respondents in the instant matter. Respondent Nos. 5 to 7 have been served with notice. Mr. Kush Chaturvedi, Advocate has filed vakalatnama/appearance on behalf of respondent Nos. 6 and 7 but no counter affidavit has been filed so far. Neither AD card nor unserved cover has been received from respondent Nos. 1 to 4 so far. Counsel for the petitioner has not filed affidavit of service in respect of respondent Nos. 1 to 4.

Service of notice is not complete on respondent Nos. 1 to 4.

SLP (C) NOS. 16373-16375 OF 2013

The matters above-mentioned were listed before the Hon'ble Court on 10th May, 2013, when the Court was pleased to pass the following Order:

“ Issue notice returnable in ten weeks.

Dasti, in addition to the ordinary process.

Ms. Arti Singh, advocate waives service for the respondent– Pundalik Santu Dalvi in Special Leave Petition arising out of Writ Petition No. 10368 of 2012.

In the meanwhile, the operation of the impugned order shall remain stayed.”

Accordingly, show cause notice was issued to sole respondent in SLP (C) Nos. 16373 and 16374 of 2013 by registered A.D. post on 23.05.2013 and notice issued to the sole respondent in SLP (C) No. 16375 of 2013 through Ms. Arti Singh, Advocate and she has filed counter affidavit in all the SLPs alongwith applications for exemption from filing official translation but she has not filed vakalatnama on behalf of sole respondent in SLP (C) Nos. 16373 and 16374 of 2013. Counter affidavit alongwith applications for exemption from filing official translation are already included in the paper books.

Thereafter, the matter above-mentioned were time to time and lastly listed before the Ld. Registrar Court on 03rd April, 2014, when the following Order was passed:

“In this batch of matters, it appears that counter affidavit on behalf of common sole respondent seems to have been filed in SLP(C) Nos. 16373 and 16375 of 2013 but vakalatnama seems to have been filed in SLP(C) no. 16375/2013 only. This technical omission be rectified within three weeks and on compliance, same be processed for listing before the Hon'ble Court as per rules.”

And lastly, the matters above-mentioned were listed before the Hon'ble Court on 19th September, 2014, when the Court was pleased to pass the following Order:

“Connect with Civil Appeal No. 7732 of 2011.
Until further orders, interim order dated 10.05.2013 shall continue.”

Service of notice is complete.

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

Dated, this the 19th day of January, 2015.

ASSISTANT REGISTRAR

Copy to:

Mr. Arvind Minocha, Advocate
Mrs. B. Sunita Rao, Advocate
Mr. Kush Chaturvedi, Advocate
Mr. Subramonium Prasad, Advocate
M/s. Parekh & Co., Advocates
Mrs. Suchitra Atul Chitale, Advocate
Mr. P.K. Garg, Advocate
Mr. P.V. Yogeswaran, Advocate
Ms. Manik Karanjawala, Advocate
Ms. Arti Singh, Advocate

ASSISTANT REGISTRAR

ap