

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 27499/2009

(Arising out of impugned final judgment and order dated 13/02/2009  
in AA No. 387/2007 passed by the High Court of Delhi at New Delhi)

UNION OF INDIA

Petitioner(s)

VERSUS

M/S L.V.CONSTRUCTION CO.P.LTD.& ORS.

Respondent(s)

(Office report for directions)

Date : 15/02/2016 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT  
[IN CHAMBERS]

For Petitioner(s) Ms. Sunita Gautam, Adv.  
Mr. Shreekant N. Terdal, Adv.

For Respondent(s) Mr. Anubhav Kumar, Adv.  
M/s Manoj Swarup & Co.

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

On 3.10.2013, following order was passed by the  
learned Registrar:-

"Service report in respect of respondent  
No.5 is awaited.

On behalf of respondent No.1, the ld.  
Counsel, Mr Upendra Mishra has accepted notice and  
undertaken to file vakalatnama and counter  
affidavit by next date. Complete set of pleadings  
be served on the ld. Counsel in a weeks' time  
and necessary proof be filed on record. Thereafter  
four weeks' time is granted for filing counter  
affidavit.

Respondent Nos. 2 to 4 are reported to be  
duly served but none appeared on their behalf.

List again on 20.11.2013."

On 25.11.2013, the respondent No.1 entered appearance

through Mr. Anubhav Kumar for M/s Manoj Swarup & Co.

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Since the respondent No.1 was already marked as ex-parte, by this application (I.A.No.5/2014) prayer is made to recall the order dated 20.11.2013.

It is submitted by learned counsel for the respondent No.1 that respondent No.1, at no stage, instructed Mr. Upendra Mishra, Advocate to enter appearance and pray for appropriate time to file the counter affidavit.

In the circumstances, the order dated 20.11.2013 is recalled. The Vakalatnama and appearance filed on 25.11.2013 be taken on record.

Registry to proceed with the matter accordingly.

(SWETA DHYANI)  
SR.P.A.

(MADHU NARULA)  
COURT MASTER