

**SECTION : XIV**  
**IN THE SUPREME COURT OF INDIA**  
**CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL NO. 5167 OF 2012**

Nayan Bhowmick

...Appellant

**Versus**

Aparna Chakraborty

...Respondent

**OFFICE REPORT FOR PRE-FINAL HEARING**

It is submitted that there is sole respondent in this appeal. Service of Notice of Lodgment of Petition of appeal is complete on the sole respondent and is represented by Mr. Avijit Bhattacharjee.

It is further submitted that for non-filing of proof of cost of Rs. 500/- by the counsel for the parties and for non filing of statement of case by the counsel for the sole respondent, the appeal above mentioned was listed before the Hon'ble Judge in Chambers on 28.07.2015, when His Lordship was pleased to pass the following Order:-

**“Learned counsel for the appellant says that he has already filed statement of case on 14<sup>th</sup> August, 2014.**

**Two weeks’ time is granted to learned counsel for the appellant to file proof of depositing the cost of Rs. 500/- with Supreme Court Bar Association Lawyers’ Welfare Fund.”**

It is further submitted that as per aforesaid Order, counsel for the appellant has on 28.07.2015 filed statement of case but has not filed proof of depositing cost of Rs. 500/- with Supreme Court Bar Association Lawyers’ Welfare Fund. However, Counsel for the sole respondent has neither filed statement of case nor filed the proof of depositing cost of Rs. 500/- with the Supreme Court Employees Welfare Fund so far.

It is lastly submitted that as per proviso Rule 32(2) of Order XIX of new SCR 2013 read as, “Provided that where a respondent, who has

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entered appearance, does not file a statement of case within the time, as provided in sub-rule (1), it shall be presumed that the respondent does not desire to lodge statement of case in the appeal.”

The appeal above mentioned is listed before the Court of Ld. Registrar with this Office report for pre-final hearing.

DATED THIS, THE 07<sup>th</sup> day of SEPTEMBER, 2015.

**ASSISTANT REGISTRAR.**

Copy to:

1. Mr. Arvind Kumar Gupta, Adv. Ch. No.
2. Mr. Avijit Bhattacharjee, Adv. Ch. No.

**ASSISTANT REGISTRAR.**

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