

LISTING ON 09.05.2017  
COURT NO. 9  
ITEM NO. 40

SEC.IVA

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL)NOS. 23353/2012, 20866-20886/012, 21310-21329/2012, 23351/2012, 21915-21917/2013 AND 9662/2013 WITH PRAYER FOR INTERIM RELIEF

AND

INTERLOCUTORY APPLICATION NOS. 4 & 5 in SLP© No. 23351/2012  
(Application for production of additional documents and exemption from filing O.T.)

AND

INTERLOCUTORY APPLICATION NO. 6 in SLP© No.23351/2012  
(Application for production of additional documents.)

AND

INTERLOCUTORY APPLICATION NOS. 10-12 in SLP© Nos. 21915-21917/2013  
(Application for permission to file additional documents)

M/s. M.S.P.L. Ltd. Etc.

...PETITIONERS

VERSUS

State of Karnataka And Ors.

...RESPONDENTS

OFFICE REPORT

**SLP(C) NOS. 23353/2012, 20866-20886/2012, 21310-21329/2012**

The matters above mentioned were listed before the Hon'ble Court on 27.07.2012 when the Hon'ble Court was pleased to pass the following order :

**"SLP (C) No....CC No. 12062 of 2012:**

**Delay condoned.**

**Issue notice returnable in ten weeks.**

**In the meanwhile, the interim order granted by the High Court in paragraph 134 of the impugned judgment shall remain operative.**

**SLP (C) Nos. 20866-20886 of 2012 & 21310-21329 of 2012:**

**Issue notice returnable in ten weeks.**

**M/s S.N. Bhat, advocate for respondent– Raju in Special Leave Petition arising from W.A. No. 6223 of 2009, respondents – Eerappagejji and Mardan Sab in Special Leave Petitions arising from W.A. Nos. 6206 and 6208 of 2009, (ii) Anjana Chandrashekar, advocate for respondent No. 1 – Basavaraj and respondent No. 2 – Sharanamma in Special Leave Petition arising from W.A. No. 6287 of 2009, (iii) Ankur S. Kulkarni, advocate for respondents – S. Vijaya B Reddy, S. Srinivas Reddy, S. Sudhakara Reddy in Special Leave Petitions arising from W.A. No. 6187 of 2009 and (iv) Shubhangi Tuli, advocate for respondent Nos. 1 to 5 – S. Narayan Reddy, S. Surya Prabhavathi, S. Rama Reddy, S. Surya Reddy,**

**Chandrashekar S. Patel in Special Leave Petitions arising from W.A. Nos. 6190 of 2009 and 6239-42 of 2009 waive service.**

**Notice shall be issued only to the unrepresented respondents.**

**In the meanwhile, the operation of the impugned judgment shall remain stayed. However, status-quo shall be maintained by all concerned with regard to the land of the Writ Petitioners (land owners).**

**The represented respondents may file their counter-affidavits within four weeks from today. "**

Accordingly, show cause notice was issued to all the respondents through Registered A.D. Post. Service position of all the respondents is as under:

**SLP© No. 23353/2012**

There are 4 respondents on the instant SLP. Respondent Nos. 1-3 have been served with the notice through registered A.D. post, but no one has entered appearance so far. Mr. S.N. Bhat, Advocate has filed vakatnama/memo of appearance on behalf of respondent No. 4 and has on 15.07.2015 filed counter affidavit and the same has been included in the SLP paper books, however, time to file counter affidavit has already expired vide Order dated 04.04.2013 of Registrar Court.

**SLP© NOS. 20866-20886/2012**

Service position of all the respondents is as under:-

SLP(C) Nos.	Total Respondents	Served by AD/Vakalatanama/appearance	Status
20866-68/2012	1 to 6	Respondent Nos. 1 to 3 Mr. A.K. Tandale, Advocate Respondent Nos. 4 and 5 through Publication Respondent Nos. 6 through Mr. Balaji Srinivasan, Advocate	Complete
20869/2012	1 to 4	R. No. 1 Mr. S. N. Bhat, Advocate R. No. 2 through Publication R. No. 3 Mr. P.V. Dinesh, Advocate R. No. 4 A. D. Card	Complete
20870/2012	1 to 4	R. No. 1 Ms. S. Tuli, Advocate R. No. 2 Publication R. No. 3 Mr. P.V. Dinesh, Advocate R. No. 4 A.D. Card	Complete
20871/2012	1 to 8	R. Nos. 1 & 2 Ms. Anjana Chandrashekar, Advocate R. Nos. 3-5 Ms. S. Tuli, Advocate R. No. 6 by Publication R. No. 7 by A.D. Card R. No. 8 Mr. P.V. Dinesh, Advocate	Complete

20872/2012	1 to 4	R. No. 1 Ms. S. Tuli, Advocate R. No. 2 -4 Publication	Complete
20873-877/2012	1 to 8	R. Nos. 1 to 5 Ms. S. Tuli, Advocate R. Nos. 6 to 8 Publication	Complete
20878-880/2012	1 to 6	R. No. 1 & 3 Mr. S. N. Bhat, Advocate R. No. 2. Ms. S. S. Tuli, Advocate R. No. 4 Publication R. No. 5 A.D. Card R. No. 6 Mr. P.V. Dinesh, Advocate	Complete
20881-85/2012	1 to 8	R. No. 1 Ms. S. Tuli, Advocate R. No. 3 to 5 Mr. S. Tuli, Advocate R. Nos. 6 to 8 publication	Not complete on R. No. 2
20886/2012	1 to 6	R. Nos. 1 to 3 Mr. A.S. Kulkarni, Advocate R. No. 4 Publication R. No. 5 Mr. P.V. Dinesh, Advocate R. No. 6 A. D. Card.	Complete

Service of show cause notice is complete.

It is submitted that Mr. Anil Kumar Tandale, Advocate has filed counter affidavit on behalf of Respondent Nos. 1 to 3 in SLP© Nos. 20866-20868/12 and Mr. S.N. Bhat, Advocate has filed common counter affidavit on behalf of Respondent No. 1 in SLP© No. 20869/12 and SLP© No. 20870/2012 and Respondent Nos. 1 & 3 in SLP© Nos. 20878-20880/12. Mr. Somanatha Pradhan, Advocate for respondent No. 2 in SLP© Nos. 20881-20855/12 has filed counter-affidavit and the same have been included in the SLP paper books.

SLP(C) Nos. 21310-21329 OF 2012

Service position is as under:-

SLP (C) Nos.	Total Respondent(s)	Served by A.D. card	Vakalatanama	Status
21310-21312/2012	13	1-4	5-13	complete
21313/2012	4	1-3	4	complete
21314/2012	9	1-4 Service in r/o 5 & 6 waive as per Hon'ble Court's Order dt. 27.07.2012	7-9	complete
21315/2012	5	1-4	5	complete
21316-21320/2012	9	1-4	5-9	complete
21321-21323/2012	7	1-4	5-7	complete
21324-21328/2012	8	1-3	4-8	complete

21329/2012	7	1-4, 7 Service in r/o 5 & 6 waived as per Hon'ble Court's Order dt. 27.07.2012		complete
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It is submitted that counter affidavit has been filed on behalf of Respondent No. 8 in SLP(C) No. 21316, 21317, 21318, 21319, 21320 of 2012, Respondent Nos. 5-7 in SLP(C) No. 21310-21312/2012, Respondent No. 4 in SLP(C) No. 21313/2012 and Respondent Nos. 5 & 7 in SLP(C) No. 21321/2012, 21322/2012, 21323/2012 and the same have been included in the SLP paper books.

Service of show cause notice is complete.

**SLP© No. 23351/2012**

The matter above mentioned was listed before the Hon'ble Court on 30.07.2012, when the Court was pleased to pass the following Order:

**“Delay condoned.  
Issue notice.  
Mr. V.N. Raghupathi, Advocate is directed to take notice on behalf of Respondent Nos. 1 to 3.  
Respondent No. 4 is represented on caveat through Ms. Kiran Suri, Adv.  
List after three weeks for final hearing.  
On the meantime, parties may file additional documents, if any.”**

Accordingly, show cause notice was issued to all the 4 respondents. Mr. V.N. Raghupathy, Advocate has filed vakalatanama/memo of appearance and counter affidavit on behalf of respondent No. 1. Mr. Guntur Prabhakar, Advocate has filed vakalatnama/memo of appearance and counter affidavit on behalf of Respondent Nos. 2 & 3 and Mr. Ajit S. Bhasmi, Advocate has filed vakalatnama/memo of appearance and counter affidavit on behalf of Respondent No. 4 and the same have been included in the paper books.

Service of show cause notice is complete.

**SLP© Nos. 21915-917 of 2013**

The matter above mentioned were listed before the Hon'ble Court on 08.07.2013, when the Court was pleased to pass the following Order:

**“ Delay condoned.  
Issue notice.  
Connect with S.L.P. (C) Nos. 20866-20886 of 2012.”**

Accordingly, show cause notice was issued to all the six respondents through regd A.D. post. Mr. Anil Kumar Tandale, Advocate has filed vakalatnama on behalf of Respondent Nos. 1 to 3 and has also filed counter affidavit on their behalf. The said

counter affidavit is included in the SLP paper books. M/s. P.V. Dinesh & Balaji Srinivasan, Advocates have filed vakalatnama on behalf of Respondent Nos 5 & 6 respectively have not filed counter affidavit and have failed to file counter affidavit within the time granted vide Registrar Order dated 02.04.2014. A.D. card has been received back in respect of Respondent No. 4 but no appearance.

Services of show cause notice is complete.

The matters above mentioned were listed before the Registrar Court on 14.07.2014, when the following Order was passed:

**Service is complete on respondent No.4 but no one has put in appearance.**

**Counter affidavit has been filed on behalf of respondent Nos. 1 to 3.**

**The matter falls under the completed category.**

**Registry to process for listing before the Hon'ble Court, as per rules."**

#### **SLP© No. 9662/2013**

The matter above mentioned was listed before the Hon'ble Court on 18.03.2013, when the Court was pleased to pass the following Order:

**"Issue notice.**

**Ms. Kiran Suri, advocate-on-record, and Mr. T.V. Ratnam, advocate-on-record, waive service for respondent Nos. 2 and 3 respectively.**

**Learned senior counsel and learned counsel for the parties are ad idem that an opportunity may be given to the parties to have their disputes resolved through the process of mediation.**

**As prayed by them, the matter is referred to the Bangalore Mediation Centre.**

**The parties are directed to appear before the Coordinator, Bangalore Mediation Centre on April 2, 2013.**

**The Coordinator, Bangalore Mediation Centre shall submit the report withing two months of the appearance of the parties.**

**List the matter thereafter.**

**In the meanwhile, the parties, including the petitioners, are directed to maintain status quo with regard to the subject land in all respects."**

Accordingly, show cause notice was issued to all the three respondents through regd A.D. post. M/s. V.N. Raghupathy & T.V. Ratnam, Advocates have filed vakalatnama on behalf of respondent Nos. 1 & 3 respectively, but no counter affidavit filed. Ms. Kiran Suri, Advocate for respondent No. 2 has been designated as Senior Advocate and Dr.(Mrs.) Vipin Gupta, Advocate has filed vakalatnama in her place, but no counter affidavit filed.

Service of show cause notice is complete.

The matter above mentioned was lastly listed before the Hon'ble Court on 22.04.2016, when the Court was pleased to pass the following Order:

**“List along with Special Leave Petition arising out of SLP.....CC 12062/2012 on a Tuesday in the month of July, 2016.**

**In the meantime, the learned counsel appearing for Respondent No.3, Hospital, shall inform the Court as to how the land, out of the total land acquired and possession of which the said respondent has received has been utilized. If such land has not been utilized, the reason therefor shall also be informed.”**

Accordingly, the instant matter has been tagged alongwith SLP© No. 23353/12 arising out of SLP© CC... No. 12062/12.

It is submitted that Mr. D. Abhinav Rao, Advocate has on 06.03.2017 filed vakalatanama on behalf of Respondent No. 3 after taking NOC from erstwhile Advocate, Mr. T.V. Ratnam.

It is lastly submitted that no documents with regard to utilization of land is filed by the counsel for Respondent No. 3 so far.

The matters above mentioned are, therefore, listed before the Hon'ble Court with this office report.

Dated this the 8<sup>th</sup> day of May, 2017.

ASSISTANT REGISTRAR

COPY TO : Mr.Balaji Srinivasan, Advocate.  
Mr. S. N. Bhat, Advocate  
Mr. P. B. Dinesh, Advocate.  
Ms. Shubhangi Tuli, Advocate.  
Ms. Anjana Chandrashekar, Advocate  
Mr. Ankur S. Kulkarni, Advocate.  
Mr. G. Prabhakar, Advocate

ASSISTANT REGISTRAR