

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NOS. 28194-28201, OF 2010, C.A. NOS. 5487-5488 OF 2011, S.L.P. © NOS. 15481-15489 OF 2011, 21622, 28966, 36926 OF 2012, 14751, 14752, 14753, 19998 OF 2013, S.L.P. © CC NO. 1787 OF 2014, S.L.P. © NOS. 11878, 19371, 19386, 19384, 19868, 19375, 19379, 19378, 19380, 19320, 19376, 19373, 20627, 20628, 20630, 20631, 23328, 20109, 20370, 23329, 20442, 23331, 23334, 23391, 23393, 23394, 23396, 23398, 23399, 19228, 20626, 23295, 23296, 19842, 21406, 23247, 23297, 21584, 23299, 23301, 23303, 23897, 23898, 22568, 23899, 23900, 23901, 23902, 23903, 21605, 23251, 27034, 23294, 27036, 27041, 27043, 27046, 27048, 23693, 27049, 27050, 27053, 27058, 23896, 26284, 26286, 26287, 26290, 26294, 23326, 26295, 25799, 25804, 26767, 21583, 25797, 26283, 26821, 26764, 26972, 27024, 27744, 19370, 18447 OF 2015, 1907 AND 7208 OF 2016

WITH

INTERLOCUTORY APPLICATION NO. 26

(APPLICATION FOR VACATING CONDITIONAL ORDER
DATED 13-01-12 GRANTING STAY AND FOR DIRECTION in
S.L.P. © No. 28194 of 2010)

WITH

INTERLOCUTORY APPLICATION NO. 27

(APPLICATION FOR DIRECTION AND MOTIFICATION in S.L.P.
© No. S.L.P. © No. 28194 of 2010)

AND

INTERLOCUTORY APPLICATION NO.28

(APPLICATION FOR DE-TAGGING INTERLOCUTORY APPLICATION
NO. NO. 26 OF 2013 & SLP NO. 28194 AND FOR DIRECTION)

AND

INTERLOCUTORY APPLICATION NOS. 29-108

(APPLICATIONS FOR INTERVENTION IN S.L.P. © NO. 28194-28201
OF 2010)

AND

INTERLOCUTORY APPLICATION NOS. 12-20

(Application for intervention in SLP 15481-15489 of 2009)

AND

INTERLOCUTORY APPLICATION NO. 3

(Application for intervention in SLP 36926 of 2012)

AND

INTERLOCUTORY APPLICATION NO. 4

(Application for bringing on record additional document in SLP 36926
of 2012)

AND

INTERLOCUTORY APPLICATION NOS. 5 and 6
(APPLICATIONS FOR STAY IN C.A NO. 5487-5488 OF 2011)

AND

INTERLOCUTORY APPLICATION NO. 2
(Application for Impleadment in SLP(C) No.11878 of 2015)

AND

INTERLOCUTORY APPLICATION NO. 1
(Application for condonation of delay in filing SLP in SLP(C) CC No.
1787 of 2014)

AND

INTERLOCUTORY APPLICATION NOS. 1, 2 and 3 of 2016
(Applications for stay in SLP(C) Nos. 20109, 20630, 23301, 23394,
23295, 23297 and 23299 of 2015)

WITH

PRAYER FOR INTRINEM RELIEF

Union of India & Anr. Etc.

.....Petitioners

-Versus-

M/s. V. V. F. Ltd. & Ors. Etc.

.....Respondents

OFFICE REPORT

The matters above-mentioned were listed before the Hon'ble Court on 10th March, 2016 with office report dated 9th March, 2016, when the Court was pleased to pass the following order:-

“List the matters of 13th April, 2016.”

It is submitted that counsel for the petitioner has on 10th March, 2016 filed written submissions in S.L.P.(C) No. 28966 of 2012. Copies of the same have been included in the paper books.

It is further submitted that counsel for the sole respondent has on 6th April, 2016 filed counter affidavit (in separate volume) in S.L.P(C) No 20442 of 2015. Paper books of the counter affidavit are being circulated herewith.

It is lastly submitted that counsel for the petitioners has on 25th April, 2016 and 26th April, 2016 filed applications for stay in S.L.P.(C) Nos. 20109, 20630, 23301, 23394, 23295, 23297 and 23299 of 2015.

The said applications have been registered as Interlocutory Application Nos. 1, 2 and 3 respectively. Paper books of the said applications are being circulated herewith.

SLP(C) NO. 1907 OF 2016

The matter above mentioned was listed before the Hon'ble Court on 18th January, 2016, when the Hon'ble Court was pleased to pass the following order:-

“Delay condoned.

Issue notice returnable within eight weeks.

The operation of the impugned order shall be stayed subject to release of 50% amount due to the respondent in terms of the impugned order.

Tag the SLP © Nos. 28194-201 of 2010.”

It is submitted that there are four respondents. Mr. Shardul S. Shroff, Advocate has filed Caveat/Vakalatnama/Appearance on behalf of respondent No. 2 but has not filed counter affidavit so far. Show cause notice was issued to Respondent Nos. 1, 3 and 4 through registered A.D. Post on 2nd February, 2016. Mr. Gopal Singh Advocate has on 8th February, 2016 filed Vakalatnama/Appearance on behalf of Respondent Nos. 3 and 4 but he has not filed Counter Affidavit on their behalf so far. A.D. Card duly signed has been received back from Respondent No. 1 but no one has filed Vakalatnama/Appearance on behalf of the said Respondent so far.

SLP(C) NO. 18447 OF 2015

The matter above-mentioned was listed before the Hon'ble Court on 6th July, 2015 when the Hon'ble Court was pleased to pass the following order:-

“Permission to file special leave petition is granted.

Delay condoned.

Notice.”

Accordingly, show cause notice was issued to all the six respondents on 21st July, 2015 through registered A.D. Post. Ms. Hemantika Wahi, Advocate has on 27th August, 2015 filed Vakalatnama/Appearance on behalf of Respondent No.4 but she has not filed Counter Affidavit on behalf of Respondent No. 4. Mr. B.K. Prasad, Advocate has on 23rd September, 2015 filed Vakalatnama/Appearance on behalf of Respondent Nos. 1 to 3, 5 and 6 and on 6th November, 2015 filed Counter Affidavit on their behalf. Copies of the counter affidavit have been included in the paper books.

It is submitted that the office report was listed before Ld. Registrar's Court from time to time and lastly listed on 2nd February, 2016, when the following order was passed:-

“Respondent nos. 1 to 3, 5 and 6 have already filed counter affidavit.

Respondent no. 4 has not filed counter affidavit despite last opportunity having been granted. As such, further opportunity is declined.

Registry to process the matter for being listed before the Hon'ble Court as per rules.”

It is further submitted that counsel for Respondent No.4 has not filed counter affidavit so far.

It is lastly submitted that the matter was listed before the Hon'ble Court on 14th March, 2016, when the Court was pleased to pass the following order:-

“Heard.

Counter affidavit has been filed on behalf of Union of India and other respondents except the State of Gujarat. Ms. Hemantika Wahi, learned counsel for the respondent-state, submits that she does not propose to file any counter affidavit. Learned counsel for the petitioner also does not propose to file any rejoinder affidavit. They submit that connected matters are coming up for hearing on 13th April, 2016 before another Bench involving similar question of law.

In the circumstances, this matter also be listed along with SLP(C) No(s). 28194-28201 of 2010.”

SLP(C) NO. 7208 OF 2016

The matter above mentioned was listed before the Hon'ble Court on 28th March, 2016, when the Hon'ble Court was pleased to pass the following order:-

“Issue notice.

Dasti, in addition, is permitted.

Tag with SLP © Nos. 28194-201 of 2010.”

Accordingly show cause notice was issued to both the Respondents on 3rd April, 2016 through Speed Post. Tracking Report of the Postal Department shows that the show cause notice has been delivered to both the respondents on 9th and 7th April, 2016 but no one has filed Vakalatnama/Appearance on their behalf so far.

It is further submitted that a copy of the show cause notice was also handed over to Counsel for the Petitioner for effecting dasti notice on both the respondents but he has not filed affidavit of dasti service along with proof of service so far.

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

Dated this the 26th day of April, 2016.

ASSISTANT REGISTRAR

Copy to:

1. Mr. B.K. Prasad, Advocate,
Central Agency Section.
2. Mr. E.C. Agrawala, Advocate
48, Lawyers Chamber.
3. Mr. Shekhar Prit Jha, Advocate
L-11, Lawyers Chamber.
4. Mr. Rajan Narain, Advocate
5. Mr. Kunal Chatterji, Advocate
6. Mr. Ajit Kumar Pandey, Advocate
8. Mr. Praveen Kumar, Advocate
9. Mr. Vishal Gupta, Advocate
10. Mr. Himanshu Shekhar, Advocate

11. Mr. Pawanshree Agrawala, Advocate.
12. Mr. Rahul Narayan, Advocate
13. Mr. Rajesh Mahale, Advocate
14. Mr. S.S. Shroff, Advocate
15. M/s Arputham Aruna & Co., Advocates
16. M/s AP &J Chambers, Advocates
17. Ms. Shweta Garg, Advocate
18. Mr. Abhijit Sen Gupta, Advocate
19. Mr. Arun Kumar Mishra-I, Advocate
20. Mr. M.P. Devanath, Advocate
21. Mr. Satya Mitra, Advocate
22. Mr. Shriram P. Pingle, Advocate
23. Ms. Diksha Rai, Advocate
24. M/s K.J. John & Co., Advocates
25. Ms. Bina Gupta, Advocate
26. Mr. Rana Ranjit Singh, Advocate
27. M/s Legal Options, Advocates
28. M/s Khaitan & Co., Advocates
29. Mr. K.V. Mohan, Advocate
30. Mr. Pratha Sil, Advocate
31. Mr. Shardul S. Sharoff, Advocate

ASSISTANT REGISTRAR

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