

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

LISTED On : 12.04.2017
COURT NO. (Chamber matter) : 14
ITEM No. : 14

TRANSFER PETITIONS (CIVIL) Nos. 592 - 596 of 2016

WITH

INTERLOCUTORY APPLICATION Nos. 1 – 5 of 2016

(Applications for Stay)

UNIVERSITY GRANTS COMMISSION

....Petitioner

VERSUS

MANIPAL UNIVERSITY AND ORS. ETC ETC

...Respondents

OFFICE REPORT ON DEFAULT

The Transfer Petitions above mentioned were listed before the Hon'ble Court on 22nd April 2016, when the Court was pleased to pass the following Order:-

"Issue notice.

Tag with T.P. (C) Nos. 1555-1561 of 2014."

Accordingly, the matters are tagged with Transfer Petition (C) Nos. 1555 - 1561 of 2014.

It is submitted that notice was issued to all the respondents through the concerned High Courts on 19th May, 2016.

Thereafter, the matters were listed before the Hon'ble Court alongwith main connected matter i.e. SLP (C) No. 27627 of 2012 on 23rd September 2016, when the Court was pleased to pass the following Order :-

"List the matters after pleadings are complete."

Service position of each matter is as under :-

TRANSFER PETITION (CIVIL) No. 592 of 2016

There are three respondents in this matter.

It is submitted that certificate of service in respect of all the three Respondents has been received from the concerned High Court after serving the notice to Respondent Nos. 1 & 2 on 07.06.2016 and to Respondent No. 3 on 14.07.2016 but no one has filed Vakalatnama and Memo of appearance on their behalf so far.

It is further submitted that the status report dated 02.06.2016 has been received from the concerned High Court stating therein that Writ Appeal No. 1511 of 2014 is pending.

Service of show cause notice is complete on all the three Respondents.

Contd...2/-

TRANSFER PETITION (CIVIL) No. 593 of 2016

There are three respondents in this matter.

It is submitted that certificate of service in respect of all the three Respondents has been received from the concerned High Courts after serving the notice to Respondent Nos. 1 & 2 on 21.06.2016 and to Respondent No. 3 on 14.07.2016 but no one has filed Vakalatnama and Memo of appearance on their behalf so far.

It is further submitted that the status report dated 22.06.2016 has been received from the concerned High Court stating therein that Writ Appeal No. 1787 of 2011 is pending.

Service of show cause notice is complete on all the three Respondents.

TRANSFER PETITION (CIVIL) No. 594 of 2016

There are three respondents in this matter.

It is submitted that Mr. Ashwarya Sinha, Advocate has on 14th July, 2016 filed Vakalatnama and Memo of appearance on behalf of Respondent Nos. 1 & 2 but has not filed Counter Affidavit so far.

It is further submitted that certificate of service in respect of Respondent No. 3 has been received from the concerned High Court after serving the notice to Respondent No. 3 on 14.07.2016 but no one has filed Vakalatnama and Memo of appearance on behalf of Respondent No. 3 so far.

It is also submitted that the status report dated 22.06.2016 has been received from the concerned High Court stating therein that Writ Appeal No. 1791 of 2011 is pending.

Service of show cause notice is complete on all the three Respondents.

TRANSFER PETITION (CIVIL) No. 595 of 2016

There are two respondents in this matter.

It is submitted that certificate of service in respect of both the Respondents has been received from the concerned High Courts after serving the notice to Respondent No. 1 on 23.06.2016 and to Respondent No. 2 on 14.07.2016 but no one has filed Vakalatnama and Memo of appearance on their behalf so far.

It is further submitted that the status report dated 22.06.2016 has been received from the concerned High Court stating therein that Writ Appeal No. 1794 of 2011 is pending.

Service of show cause notice is complete on both the Respondents. ...3/-

TRANSFER PETITION (CIVIL) No. 596 of 2016

There are two respondents in this matter.

It is submitted that certificate of service in respect of both the Respondents has been received from the concerned High Courts stating that notice was returned unserved on Respondent No. 1 as on enquiry, it was reported that there is no such Association by the given name in the given address and notice is served on Respondent No. 2 on 14.07.2016 but no one has filed Vakalatnama and Memo of appearance on behalf of Respondent No. 2 so far.

It is further submitted that the status report dated 22.06.2016 has been received from the concerned High Court stating therein that Writ Appeal No. 1883 of 2011 is pending.

Service of show cause notice is complete on Respondent No. 2 and **not** complete on Respondent No. 1.

Thereafter, the Transfer Petitions above mentioned were listed before the Ld. Registrar Court on 7th November 2016, when the following Order was passed :-

"T.P. (C) No. 592-596/2016

Transfer Petition (C)Nos.592, 593 & 595/2016

The office report indicates that service of notice is complete on the respondents, but no one has entered appearance on their behalf. Viewed thus, these matters shall be processed for listing before the Hon'ble Court as per rules.

Transfer Petition (C)No.594/2016

Service of notice is complete on the respondent No.3, but no one has entered appearance on his behalf. Four weeks time as last chance is given to the respondent Nos. 1 & 2 to file the counter affidavit. List the matter before the Hon'ble Court as per rules after expiry of four weeks.

Transfer Petition (C)No.596/2016

Service of notice is complete on the respondent No.2, but no one has entered appearance on his behalf. As per service report in respect of the respondent No.1 "No such Association by the given name." Hence, Ld.counsel for the petitioner shall file the fresh particulars of the said respondent within a period of four weeks and he shall also take fresh steps for the service of notice to him within the same period.

List the matter again on 05.12.2016." Contd...4/-

Accordingly, service position of each matter is as under :-

TRANSFER PETITION (CIVIL) No. 592 , 593 & 595 of 2016

It is submitted that service of notice is complete on the respondents, but no one has entered appearance on their behalf so far.

TRANSFER PETITION (CIVIL) No. 594 of 2016

It is submitted that Ms. Aishwarya Sinha, Ld. Counsel for the Respondent Nos. 1 & 2 has not filed Counter Affidavit on their behalf so far.

It is further submitted that service of notice is complete on the respondent no. 3, but no one has entered appearance on his behalf.

TRANSFER PETITION (CIVIL) No. 596 of 2016

It is submitted that service of notice is complete on respondent no. 2, but no one has entered appearance on his behalf.

It is further submitted that Ld. Counsel for the Petitioner has neither filed the fresh particulars of the respondent no. 1 nor filed fresh spare copy of the transfer petition so far with a result fresh show cause notice could not be issued on the respondent no. 1 through the concerned High Court.

Service of show cause notice is not complete on respondent no. 1.

Thereafter, the matter above-mentioned was listed before the Ld. Registrar's Court from time to time and on 19th January 2017, when the following Order was passed :-

"Ld. Counsel for the petitioner has failed to file the fresh particulars and to take fresh steps for the service of notice to the respondent No.1 despite opportunities. Viewed in that context, the matter shall be processed for listing before the Hon'ble Judge in Chambers for further directions. Await orders. List thereafter."

Service of show cause notice is complete on all the respondents in all the matters except respondent no. 1 in T.P. (C) No. 596 of 2016.

The default on the part of the Ld. Counsel for the Petitioner is reported to the Hon'ble Judge in Chamber with this Office Report.

Dated this the 2nd day of March, 2017.

ASSISTANT REGISTRAR

Copy to : 1. Mr. T. Mahipal, Advocate
2. Mr. Ashwarya Sinha, Advocate

ag

ASSISTANT REGISTRAR