

SECTION IV B

Listed on 12.08.2015

IN THE SUPREME COURT OF INDIA Court No. 1
CIVIL APPELLATE JURISDICTION Item No. 1

PETITIONS FOR SPECIAL LEAVE TO APPEAL(CIVIL)NOS. 7142 OF
2007, 12678, 18230, 24266, 24276-24278, 3564 OF 2009, CC
NOS. 1203-1235 OF 2010, 30703 AND 27108 OF 2011

WITH

INTERLOCUTORY APPLICATION NO. 4

(Application for substitution of petitioner no. 4 SLP No. 7142/07)(R.F.A. No. 2436 of 2001)

AND

INTERLOCUTORY APPLICATION NO. 5

(Application for condonation of delay in substitution application and setting aside abatement in SLP No. 7142/07)(R.F.A. No. 2436 of 2001)

AND

INTERLOCUTORY APPLICATION NOS. 6 & 8

(Applications for exemption from filing official translation in SLP No. 7142/07)

AND

INTERLOCUTORY APPLICATION NO. 7

(Application for taking on record additional documents in SLP No. 7142/07)

AND

INTERLOCUTORY APPLICATION NO. 9

(Application for permission to file additional documents)

AND

INTERLOCUTORY APPLICATION NO. 10

(Application for substitution)(R.F.A No. 3958 of 2001)

AND

INTERLOCUTORY APPLICATION NO. 1 IN SLP(C) NO. 12678 OF
2009

(Application for condonation of delay in filing SLP)

AND

INTERLOCUTORY APPLICATION NOS. 1 AND 2 IN SLP(C) NOS.
24266 OF 2009)

(Application for condonation of delay in filing and refiling Special Leave Petition)

AND

INTERLOCUTORY APPLICATION No. 1 IN SLP(C) NOS.
24276-24278 OF 2009

(Application for permission to file Special Leave Petition)

AND

INTERLOCUTORY APPLICATION NO. 2 IN SLP(C) NOS.
24276-24278 OF 2009)

(Application for substitution of Lrs. of deceased petitioner No. 1 namely Lachhu Ram in SLP(C) No. 24276 of 2009)

AND
INTERLOCUTORY APPLICATION NO. 3 IN SLP NOS. 24276-24278 OF 2009)
(Application for condonation of delay in substitution application)

AND
INTERLOCUTORY APPLICATION NO. 10 IN SLP NOS. 24276-24278 OF 2009)
(Application for substitution to bring on record LR. of deceased petitioner Nos. 2 and 3 namely Prem Chand and Rattan Lal in SLP(C) No. 24276 of 2009)

AND
INTERLOCUTORY APPLICATION NO. 11 IN SLP NOS. 24276-24278 OF 2009)
(Application for condonation of delay in filing substitution application)

AND
INTERLOCUTORY APPLICATION NOS. 4-6 AND 7-9 IN SLP NOS. 24266-24278 OF 2009)
(Applications for condonation of delay in filing and refiling Special Leave Petition)

AND
INTERLOCUTORY APPLICATION NOS. 1-33 AND 34-66 IN SLP(C)..CC NOS. 1203-35/2010)
(Applications for condonation of delay in filing and refiling SLP)

AND
INTERLOCUTORY APPLICATION NOS. 7 AND 8 IN SLP(C) NO. 27108 OF 2011
(Applications for condonation of delay in filing and refiling SLP)

AND
INTERLOCUTORY APPLICATION NO. IN SLP(C) NO. 27108 OF 2011
(Applications for substitution to bring on record LR. of deceased respondent Nos. 3 & 4)

AND
INTERLOCUTORY APPLICATION NO. IN SLP(C) NO. 27108 OF 2011
(Applications for condonation of delay in filing substitution application and setting aside abatement)

AND
INTERLOCUTORY APPLICATION NO. IN SLP(C) NO. 27108 OF 2011
(Applications for exemption from filing official translation)

Nakli Ram & Ors. Etc. Etc. ...Petitioners

Versus

State of Haryana & Ors., Etc. ...Respondents

OFFICE REPORT

The matters above mentioned were listed before the Hon'ble Court on 12.03.2012 with office report dated

03.03.2012 when the Court was pleased to pass the following order :-

"Service of notice is not complete in SLP(C)Nos.24276-24278 of 2009, S.L.P. (C)...CC Nos. 1203-1235 of 2010, SLP(C) No.18230 of 2009 and SLP(C) No.30703 of 2011.

Petitioners to take steps for effecting service on those respondents who have not been served so far.

List on non-miscellaneous day after service is complete in all the matters.

In the meanwhile, respondents may file counter affidavit."

SLP No. 7142 of 2007

It is submitted that there are four respondents. Mr. Kamal Mohan Gupta, Advocate who had appeared on behalf of respondents has not filed vakalatnama and counter affidavit so far.

Service of show cause notice is complete.

It is further submitted that Mrs. Shureshta Bagga, Advocate for the petitioner has on 17.10.2011 filed an application for substitution for petitioner No. 4, namely, Hari Chand S/o Shadi (RFA No. 2436 of 2001) in SLP(C) No. 7142 of 2007 alongwith applications for condonation of delay in filing substitution & setting aside abatement and exemption from filing official translation and for taking on record additional documents which is registered as I.A. Nos. 4-8. The same has already included in the SLP paper books. Mrs. Shureshta Bagga, Advocate has filed vakalatnama on behalf of proposed LR. Namely Rattan Singh.

It is further submitted that Mr. Anis Ahmed Khan, Advocate for the petitioner has on 24.03.2015 filed an application for substitution of deceased petitioner No. 1 namely Urmila Devi(RFA No. 3958 of 2001) alongwith additional documents in SLP(C) No. 7142 of 2007. LRs. of Urmila Devi is already on record as petitioner Nos. 2 &

3. The same is registered as I.A. NO. 10 and the same is being circulated alongwith I.A. No. 9(Application for permission to file Additional documents.)

SLP(C) No. 12678 of 2009

It is submitted that Mr. Kamal Mohan Gupta, Advocate has filed vakalatnama/memo of appearance and counter affidavit on behalf of sole respondent. Counter affidavit has been included in the SLP paper books.

It is further submitted that Mr. Kamal Mohan Gupta, Advocate is no more standing counsel for the State of Haryana and no one has entered appearance on behalf of State of Haryana so far.

Service of show cause notice is complete.

SLP(C) No. 18230 of 2009

It is submitted that Mr. Kamal Mohan Gupta, Advocate has filed vakalatnama/memo of appearance and counter affidavit on behalf of Respondent Nos. 1-3. Counter affidavit has been included in the SLP paper books.

Service of show cause notice is complete.

It is further submitted that Mr. Kamal Mohan Gupta, Advocate is no more standing counsel for the State of Haryana. No one has entered appearance on behalf of State of Haryana so far.

SLP(C) No. 24266 of 2009

It is submitted that Mr. Kamal Mohan Gupta, Advocate has filed vakalatnama/memo of appearance and counter affidavit on behalf of Respondent Nos. 1-3. Counter affidavit has been included in the SLP paper books.

Service of show cause notice is complete.

It is further submitted that Mr. Kamal Mohan Gupta, Advocate is no more standing counsel for the State

of Haryana, and no one has entered appearance on behalf of State of Haryana so far.

SLP(C) Nos. 24276-24278 of 2009

It is submitted that Mr. Devashish Bharuka, Advocate has filed vakalatnama/memo of appearance and counter affidavit on behalf of (Common)Respondent Nos. 1-3. Counter affidavit has been included in the SLP paper books. Respondent Nos. 4 & 5 in SLP(C) No. 24277 of 2009 and respondent No. 4 in SLP(C) No. 24278 of 2009 has been served but no one has entered appearance on their behalf so far.

Service of show cause notice is complete.

It is further submitted that in SLP(C) No. 24276 of 2009 Mr. Anis Ahmed Khan, Advocate has filed vakalatnama/memo of appearance on behalf of petitioner Nos. 1(i) & petitioner No. 4 and proposed LRs. of deceased petitioner Nos. 2 and 3 after taking No Objection from erstwhile Advocate Mr. Rajinder Mathur. Mr. Anis Ahmed Khan, Advocate has also on 30.03.2015 filed an application for substitution to bring on record LRs. of deceased petitioner Nos. 2 and 3 namely Prem Chand and Rattan Lal alongwith application for condonation of delay in filing substitution application and True Photocopy Death certificate and vakalatnama/memo of appearance on behalf of all the proposed LRs. There is delay of 421 and 8 days filing the application for substitution. The same is registered as I.A. Nos. 10 & 11. Copies of the same have already been included in the SLP paper books.

It is further submitted that Mrs. Shureshta Bagga, earlier counsel for the petitioner was expired. Alternative arrangement notice to all the petitioners was issued on 29.11.2011. Mr. Anis Ahmed Khan, Advocate has filed vakalatnama/memo of appearance on behalf of petitioner in SLP(C) No. 24276 of 2009. A.D. Cards duly

signed from all the petitioner have been received. No one has entered appearance on behalf of petitioner in SLP(C) Nos. 24277 and 24278 of 2009.

SLP(C) No. 3564 of 2009

It is submitted that Mr. R. V. Kameshwaran, Advocate has filed vakalatnama/memo of appearance on behalf of sole respondent but has not filed counter affidavit so far.

Service of show cause notice is complete.

SLP(C) CC Nos. 1203-1205 of 2010

Latest service position of each matters is as under:-

SLP(C) CC No.	Total RRs.	V/A	Courier receipts received	Neither receipts unserved received	courier nor covers	Remarks
1203/10	5	1-5	-	-		Complete
1204/10	1	-	-	1		Incomplete
1205/10	1	-	-	1		Incomplete
1206/10	1	-	-	1		Incomplete
1207/10	1	-	-	1		Incomplete
1208/10	3	1-3	-	-		Complete
1209/10	1	1	1	-		Complete
1210/10	1	-	-	1		Incomplete
1211/10	2	1	-	2		Incomplete
1212/10	1	-	-	1		Incomplete
1213/10	2	1-2	-	-		Complete
1214/10	1	1	-	-		Complete
1215/10	2	1-2	-	-		Complete
1216/10	4	-	1, 3 & 4	2		Incomplete
1217/10	1	-	-	1		Incomplete
1218/10	1(i) to (ii)	-	1(i) to (ii)	-		Complete
1219/10	2	1-2	-	-		Complete
1220/10	3	1-3	-	-		Complete
1221/10	3	-	2 & 3	1		Incomplete

SLP(C) CC No.	Total RRs.	V/A	Courier receipts received	Neither receipts unserved received	courier nor covers	Remarks
1222/10	1	1	-	-		Complete
1223/10	2	-	-	1 & 2		Incomplete
1224/10	2	-	-	1 & 2		Incomplete
1225/10	1	1	-	-		Complete
1226/10	2	-	-	1 & 2		Incomplete
1227/10	1	-	-	1		Incomplete
1228/10	1	-	-	1		Incomplete
*1229/ 2010	1, 2(i) to 2(v) & 3-7	-	All	-		(Incomplete on R.No. 1 as R.No. 1 has expired)
1230/10	2	1-2	-	-		Complete
1231/10	2	-	-	1 & 2		Incomplete
1232/10	7	1-2 4-7	3	-		Complete
1233/10	3	-	-	1-3		Incomplete
1234/10	3	1-3	-	-		Complete
1235/10	6	1-6	-	-		Complete

It is submitted that counsel for the petitioner has not taken any steps in respect of deceased respondent no. 1 in SLP(C) CC No. 1229 of 2010 so far and Counsel has not taken fresh steps against the unserved respondents so far.

SLP(C) No. 30703 of 2011

It is submitted that Mrs. Anuradha Agarwal, Advocate has filed vakalatnama/memo of appearance on behalf of Respondent Nos. 1 & 3 and counter affidavit on behalf of Respondent No. 3 only. Copy of the counter affidavit has been included in the SLP paper books. Respondent No. 2 is common in SLP(C) Nos. 24276-24278 of 2009 and represented through Advocates.

Service of show cause notice is complete.

SLP(C) No. 27108 of 2011

It is submitted that Mrs. Anubha Agarwal, Advocate has filed vakalatnama/memo of appearance and counter affidavit on behalf of sole respondent. Counsel for the petitioner has filed rejoinder affidavit with the direction of Hon'ble Court's order dated 05.07.2013. Copies of the same have already been included in the SLP paper books.

Service of show cause notice is complete.

It is further submitted that LRs. of deceased petitioner No. 1 have been brought on record vide Hon'ble Court's Order dated 19.09.2011. Accordingly, Cause Title have been amended in the SLP paper books.

It is submitted that Mr. Anis Ahmed Khan, Advocate has filed vakalatnama/memo of appearance on behalf of petitioners after taking No objection from erstwhile Advocate, Mr. Rajinder Mathur, but he has not cured the defects in the application for substitution, and deceased petitioner Nos. 3 and 4 which was filed by Mr. Rajinder Mathur, erstwhile Advocate despite this Registry's letter dated 20.03.2015. Unregistered applications have been included in the SLP paper books.

The matters above-mentioned alongwith applicaitons are listed before the Hon'ble Court with this office report.

Dated this the 11th day of August, 2015.

ASSISTANT REGISTRAR

Copy to :- Mr. Rajinder Mathur, Advocate.
Mr. Anis Ahmed Khan, Advocate.
Mr. Kamal Mohan Gupta, Advocate.

ASSISTANT REGISTRAR

Rajesh