

REGISTRAR COURT NO. 1

LISTED ON: 10-04-2015

ITEM NO. : 02

SECTION XIII
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 8177 of 2010.

K. RAMA KOTIAH, GPA HOLDER & ANR.

..Appellants

-Versus-

ANJANEYULU & ORS.

.Respondents

OFFICE REPORT

The matter above-mentioned was listed before the Ld. Registrar's Court on 7th August, 2014, when he was pleased to pass the following order:

“Two weeks time is granted as last opportunity to the Id. Counsel for the petitioner to submit process fee, correct address of respondent nos. 4 and 5. On furnishing the same, office to issue notices.

Service is complete on respondent no.3 but no one has put in appearance on his behalf.

Petitioner is exempted from filing Paper Books.

List again on 7.11.2014.”

Subsequently, the matter above-mentioned was listed before the Ld. Registrar's Court on 7th November, 2014, 8th January, 2015 and 20th February, 2015, when he was pleased to pass the following order:

7th November, 2014

“Spare copies and fresh address have been furnished on 10.10.2014.

Office to issue notices.

List again on 8.1.2015.”

8th January, 2015

“In respect of Respondent Nos. 4 & 5, Id. Counsel for the petitioner to furnish the fresh and complete address within two weeks.

List again on 20.02.2015.”

20th February, 2015

“Among 9 respondents, respondent Nos. 1,2 and 6 to 9 are already on record. However, statement of case has not been filed. Be filed within four weeks as last opportunity.

Respondent no.3 has been served but none has entered appearance.

However, respondent nos. 4 and 5 have not yet been served. Petitioner to furnish the complete address at the earliest. Notices be issued accordingly.

List again on 10.4.2015.”

It is submitted that counsel for the appellant has not furnished fresh and correct address of unserved Respondent Nos. 4 and 5 so far.

Accordingly notice was issued vide Ld. Registrar's Court's order dated 7th November, 2014 to respondent no. 4 and 5 on 12th November, 2014 through High Court on fresh address given on 10th October, 2014 by the Counsel for the appellant for effecting service of Notice to them. But unserved notices, received back with remarks of process server “the addresses mentioned in the notice are not found in that area”.

It is further submitted that there are nine respondents in the matter above-mentioned Respondent Nos. 1 and 2 are represented by M/s Lawyer's Knit & Co., Advocates, Respondent no. 6 to 9 are represented by Mr. G. RamaKrishna Prasad, Advocate, Respondent No. 3 has been served with the notice but he has entered appearance before this Court so far.

Service is incomplete on Respondent Nos. 4 and 5.

In compliance of the circular dated 3rd December, 2014 and 5th December, 2014 Original records have been sent back.

It is further submitted that neither counsel for the appellant nor counsel for the appearing respondents have filed their statement of case and in terms of Order XIX, Rule 32(2) of the Supreme Court Rules, 2013 and its proviso, when a party does not file statement of case within time prescribed, it shall be presumed that the party does not desire to file statement of case and so far as appellant is concerned, it shall be presumed that the appellant has adopted list of dates/synopsis as statement of case.

The matter above-mentioned is listed before the Ld. Registrar's Court with this office report for order.

Dated this, the 09th day of April, 2015.

ASSISTANT REGISTRAR

Copy to:

1. Ms. Anjani Aiyagari, Advocate
42, Lawyers Chambers, Supreme Court of India
2. M/s Lawyer's Knit & Co. Advocate
25, Bazar Lane, Bengali Market, New Delhi
3. Mr. G. Ramakrishna Prasad, Advocate
305, Supreme Enclave, Mayur Vihar, Ph-1

ASSISTANT REGISTRAR