

SECTION XVI

LISTED ON : 26.08.2013

COURT NO.: 4

ITEM NO. : 41

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

PETITIONS FOR SPECIAL LEAVE TO APPEAL (C) NOS. 29489 of 2009 and 3657 of 2010

(With prayer for interim -relief)

WITH

INTERLOCUTORY APPLICATION NO.

(Application for condonation of delay in filing SLP)

AND

INTERLOCUTORY APPLICATION NO. 3 IN SLP(C)NO. 3657 OF 2010

(Application for directions)

SUSANTA KUMAR ROYCHOWDHURY & ORS. ETC.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

OFFICE REPORT

The Special Leave Petition(c)No. 29489 OF 2009 above-mentioned was listed before the Hon'ble Court on 30.10.2009 when the Court was pleased to pass the following order:-

*"Permission to file the Special Leave Petition is granted.*

*Issue notice on the application for condonation of delay as well as the Special Leave Petitions returnable in four weeks. "*

Accordingly show cause notice was issued to all the 52 respondents. Mr. A.K.Sharma, Advocate has put in appearance on behalf of respondent Nos. 1 to 6 and has also filed Counter- Affidavit and the same has been included in the paper books. And Mr. Saurabh Mishra, Advocate has put in appearance on behalf of respondent Nos. 7,8 & 10 and has filed Counter- Affidavit on behalf of respondent Nos. 7,8,10, 43, 45 & 47 but has not filed Vakalatnama and memo of appearance on behalf of respondent Nos. 43, 45 & 47, so far. Respondent Nos. 12, 13, 16 to 20, 22-24, 28, 29, 31-35, 37, 39-41 have been duly served by courier service by registered AD post but they have not entered their appearance so far.

It is further submitted that the name of respondent Nos. 9, 11, 14, 15, 21, 25, 27, 30, 36, 38, 42 and 44 to 52 have been deleted from the array of the parties pursuant to this Court order dated 19.11.2012.

SLP(C)NO. 3657 of 2010:-

The instant Special Leave Petition(c)No. 3657 OF 2010 above-mentioned was listed before the Hon'ble Court on 22.01.2010 when the Court was pleased to pass the following order:-

*"Delay condoned. Issue notice.*

*In the meanwhile, contempt proceedings stated to have been initiated against the officers of the petitioners shall remain stayed;*

*Tag with SLP(C)NO. 29489 of 2009. "*

Accordingly notice was issued to all the 46 respondents Mr. Saurabh Mishra, Advocate has filed Vakalatnama and memo of appearance and Counter- Affidavit on behalf of respondent Nos. 1, 2, 4, 37, 39 and 41. Copy of the same is included in the paper boks. Counsel for the petitioner has filed affidavit of service in respect of respondent Nos. 3, 5 to 13, 16 to 18, 24, 28, 29, 31, 36, 38, 42 and 43 and AD cards duly signed from respondent Nos. 14, 15, 19 to 23, 25 to 27, 30, 33, 34, 44 and 46 have been received back but no one has entered appearance on their behalf, so far.

The name of respondent Nos. 32 and 35 have been deleted vide Order dated 2.8.2011 passed by Hon'ble Judge - in- Chamber .

It is submitted that counsel for the petitioner filed an application for deletion the name of respondent Nos. 40 and 45 which was defective, the name of respondent No. 45 shown on "Sri Chandran Tudu" in the Cause Title whereas in the death certificate as well as in High Court Judgment the name is shown as "Chandra Tudu". The said application was listed before the Hon'ble Judge - in- Chamber on 24.7.2013 when His Lordship was pleased to pass the following order:-

*"Learned counsel for the contesting respondents submits that the application should be allowed so that all the similar matters may be placed before the*

*Court for final hearing. The application is accordingly allowed.*

*It is common submission of learned counsel for the parties that the present petition be tagged along with Special Leave Petition (c)No.29489 of 2009. Order accordingly. "*

**Accordingly cause title has been amended.**

**The matters are listed before the Hon'ble Court with this Report.**

**Dated this the 23rd day of August, 2013.**

**ASSISTANT REGISTRAR**

**Copy to:-Mrs. S.B.Maheshwari, Advocate,  
Mr. A.K.Sharma, Advocate  
Mr. Saurabh Mishra, Advocate**

**ASSISTANT REGISTRAR**

**akr or 2013/14**