

**SECTION – XVI                      CHAMBER MATTER**  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

**CIVIL APPEAL NOs. 3782-3783 OF 2010**  
**WITH**  
**INTERLOCUTORY APPLICATION NOS. 6-7**  
(Application for Impleadment)

**SITA DEVI @ SITA DEVI**

**... APPELLANT**

**- VERSUS -**

**STATE OF BIHAR & ORS.**

**... RESPONDENTS**

**OFFICE REPORT FOR DIRECTIONS**

Application for impleadment in the matters above-mentioned were listed before the Hon'ble Judge-in-Chambers on 16<sup>th</sup> February, 2015, when His Lordship was pleased to pass the following Order :

*“Request a week's time is granted to the Ld. Counsel for the appellant. Take steps for service of notice to the Lrs. of Respondent No. 4. List after one week.”*

It is submitted that Mr. Rajiv Shanker Dvivedi, Advocate on behalf of the Appellant has on 19<sup>th</sup> February, 2015 filed three sets of spare copies of application for substitution for issuance of notice to the proposed Lrs. of deceased Respondent No. 4, but he has not furnished particulars of Trial Court as directed by Ld. Registrar vide Order dated 27<sup>th</sup> November, 2014. Hence, notice could not be issued to the proposed Lrs. through usual mode as well as dasti and also through Trial Court as directed vide Order dated 27<sup>th</sup> November, 2014.

AND the application for impleadment with office report for directions in respect of unserved proposed Lrs. of deceased Respondent No. 4 was again listed before the Hon'ble Judge-in-Chambers on 13<sup>th</sup> March, 2015, when His Lordship was pleased to pass the following Order :

*“The applicant is permitted to bring on record the lease deed dated 17.08.1989 as stated in the application for impleadment with affidavit in para 2, page No. 2.*

*The application be listed before the appropriate Bench. Four weeks time granted.”*

It is submitted that Counsel for the applicant has not filed any lease deed in terms of Order dated 13<sup>th</sup> March, 2015, so far. Hence, application is pending for orders.

Thereafter, office report for directions dated 21<sup>st</sup> April, 2015 was listed before the Hon'ble Judge-in-Chambers on 7<sup>th</sup> May, 2015, when His Lordship was pleased to pass the following Order :

*“At the specific request, four weeks' further time is granted, as last chance, to learned counsel for the petitioner to cure the defects pointed out by the Registry in office report dated 21<sup>st</sup> April, 2015.”*

It is further submitted that Mr. Rajiv Shanker Dvivedi, Advocate on behalf of the Appellant has not cured the defects pointed out by the registry in office report dated 21<sup>st</sup> April, 2015.

AND the matters with this position was listed before the Ld. Registrar's Court on 1<sup>st</sup> September, 2015 and lastly on 1<sup>st</sup> October, 2015, when the Ld. Registrar was pleased to pass the following Order :

*“The Office Report indicates that although by Order dated 1.4.2015 of this Court four weeks time as last chance was given to the learned counsel for the appellant for filing the affidavit in proof of dasti service of notice to the respondent No. 4, yet he has not done the needful within the period stipulated in the Order. Viewed in that context, the matter shall be processed for listing before the Hon'ble Judge in Chambers for further future directions. Await orders. List thereafter.”*

It is submitted that Mr. Rajiv Shanker Dvivedi, Counsel for the Appellant has not filed affidavit in proof of dasti service of notice to the respondent No. 4.

It is further submitted that Mr. Adarsh Upadhyay, Advocate has on 29<sup>th</sup> October, 2015 filed Vakalatnama/memo of appearance on behalf of the applicant in I.A. Nos. 6-7 (for impleadment) after the death of erstwhile Advocate, Mr. M.P. Jha, but he has not filed lease deed in I.A. Nos. 6-7 for impleadment.

Hence, the office report for directions in the matters is listed before the Hon'ble Judge-in-Chambers with this Office Report.

DATED THIS THE 2<sup>nd</sup> DAY OF NOVEMBER, 2015.

ASSISTANT REGISTRAR

Copy to:- Mr. Rajiv Shankar Dvivedi, Advocate  
Mr. Adarsh Upadhyay, Advocate

ASSISTANT REGISTRAR