

SECTION-XVI

LISTED ON:19.7.2016

COURT NO.:8

ITEM NO. :6

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO.28393 of 2011

HARAMOHAN DAS

...Petitioner

Versus

CHANDI CHARAN JANA & ORS.

...Respondents

OFFICE REPORT

The matter above-mentioned was listed before the Hon'ble Court on 19.9.2011 when the court was pleased to pass the following order:-

"Delay condoned.

Issue notice.

Since learned counsel has entered appearance on behalf of the respondent Nos. 42 to 45, service of notice on the said respondents is dispensed with.

Let notice issue on the other respondents in the usual course.

In the meantime, the parties are directed to maintain status quo as on today, with regard to the lands in question."

Accordingly show-cause notice was issued to all the 57 respondents. Mr. Pranab Mullick, Advocate has put in appearance on behalf of Respondent Nos. 30(a) to 30(d), 43, 44 & 45 and filed Counter affidavit on behalf Respondent Nos. 43-45 and the same has been included in paper-books. Respondent Nos. 46 to 48 have been duly served through District Court but they have not entered their appearance.

The service of notice is dispensed with on Respondent Nos. 1 to 41, 49 and 51 to 57 vide this Court's order dated 13.8.2013. The name of Respondent NO. 42 has been deleted from the array of the parties pursuant to this Court's order dated 13.12.2013. The sole Lr. Of deceased Respondent NO.50 has been brought-on-record vide this Court's order dated 29.4.2014. Since, the sole Lr. Of deceased Respondent No.50 has refused to accept notice the service is deemed complete vide this Court's order dated 29.4.2014.

The service of notice is complete.

AND the matter was again listed before the Hon'ble Court on 23.2.2016 when the Court was pleased to pass the following order:-

"The matter has been called out twice. But, no one is present on behalf of the petitioner.

The special leave petition is dismissed for non-prosecution."

It is submitted that the I.A. NO.9 (Application for restoration) was listed before the Hon'ble Court on 5.7.2016 when the Court was pleased to pass the following order:-

"Application for restoration is allowed.

The order dated 23.02.2016 is hereby recalled.

The special leave petition is restored to its original number.

List the matter on a non-miscellaneous day."

the matter above-mentioned is listed before the Hon'ble Court with this Office report.

Dated this the 18th day of July, 2016.

ASSISTANT REGISTRAR

Copy to: Mr. Rameshwar Prasad Goyal, Advocate
Mr. Pranab Kumar Mullick, Advocate

ASSISTANT REGISTRAR