

SECTION: XIV
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL Nos. 1873, 1884, 1885, 1886, 1959, 1960, 1961, 1962, 1963, 3270, 3272, 3991, 4431, 4572, 5638, 5639, 6404, 7212 to 7216/2009 & 1333/2010 & 2719 & 2720 OF 2015

M.C.D.

...Appellant

Versus

Vardhman Properties Ltd. etc. etc.

...Respondents

OFFICE REPORT

It is submitted that there is sole respondent in all the appeals except in C.A. Nos. 2719 & 2720 of 2015 wherein there are 3 respondents each. Service of notice of lodgment of petition of appeal is complete in all the appeals except in Civil Appeal No. 7212 of 2009. Sole respondent in Civil Appeal Nos. 1873, 1885, 1886, 1959, 1960, 1962, 3272, 3991, 4431, 4572, 5638, 6404 and 7215 of 2009 is represented by Ms. Kavita Jha, Advocate and sole respondent in Civil Appeal Nos. 5639, 7213, 7214 and 7216 of 2009 is represented by Mr. M.C. Dhingra, Advocate. Sole respondent in Civil Appeal No. 1884/2009 is represented by Mr. Abhay Kumar, Advocate. Respondent No. 1 in C.A. Nos. 2719 & 2720 of 2015 is represented by Mr. Sudhansu Palo, Advocate. No one has entered appearance on behalf of sole respondent in Civil Appeal Nos. 1961, 1963, 3270 of 2009 and 1333 of 2010 and respondent Nos. 2 & 3 in C.A. Nos. 2719 & 2720 of 2015 so far though served with notice.

It is further submitted that counsel for the appellant have filed statement of case in all the appeals except in Civil Appeal No. 4572/09, 5638/09 and 5639/09 and Ms. Kavita Jha, counsel for the respondent in Civil Appeal Nos. 1873, 1885, 1886, 1959, 1960, 1962, 3272, 3991, 4431, 4572, 5638, 6404 and 7215 of 2009 has stated vide Registrar Court's order dated 13.07.2011, that she has filed statement of case in the lead matter, i.e. Civil Appeal No. 7215/2009 and therefore need not file separate statement of case in all the appeals. However, Mr. M.C. Dhingra, counsel for

the sole respondent in Civil Appeal No. 7216 of 2009 and Mr. Abhay Kumar, counsel for the sole respondent in Civil Appeal No. 1884 of 2009 and counsel for the parties in C.A. Nos. 2719 & 2720 of 2015 has not filed statement of case so far.

It is further submitted that office report for directions in the matters above mentioned were listed before the Hon'ble Judge in Chambers on 11.11.2013, when His Lordship was pleased to pass the following order:-

"Issue fresh notice to respondents returnable in six weeks."

It is further submitted that Mr. Arun Kumar Beriwal, Advocate has taken notice for the sole respondent in C.A. No. 7212/2009 vide Ld. Registrar Court's Order dated 02.05.2011 but not filed vakalatnama/appearance. However now he has been designated as District & Sessions Judge.

It is also submitted that Office Report for directions in the matters above-mentioned was listed before the Hon'ble Judge in Chambers on 09.09.2014, when His Lordship was pleased to pass the following order:-

"Await service of notice on the sole respondent in C.A. No. 7212/2009."

As per certificate of service record from the High Court no such respondent (Sunder Construction Company) is there at the given address.

It is lastly submitted that the appeals above mentioned were listed before the Court of Ld.Registrar on 15.07.2015 and the Court was pleased to pass the following order:-

" There is sole respondent in all the appeals except C.A. No. 2719, 2720 of 2015 where there are three respondents each. Service of all the respondents is complete except for sole respondent in C.A. No.7212/2009. Ld. Counsel for the appellant to take fresh steps to effect service. Be taken within two weeks time. Notice thereafter be issued.

List again on 9.9.2015."

Service is not complete on sole respondent in C.A. No. 7212/2009.

The appeals above mentioned are listed before the Hon'ble Court with this office report.

DATED THIS, THE 20th DAY OF JULY, 2015.

ASSISTANT REGISTRAR.

Copy to:-

1. Mr. Praveen Swarup, Adv.
2. Ms. Kavita Jha, Adv.
3. Mr. M. C. Dhingra, Adv.
4. Mr. Abhay Kumar, Adv.

ASSISTANT REGISTRAR.