

SECTION XVII

MATTER FOR : 08.09.2015
R/COURT NO.: 02
ITEM NO. : 81

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 6005 AND 6009-10 OF 2010

Bharat Sanchar Nigam Ltd. Appellant
VERSUS
M/s Shyam Telelinks Ltd. Respondent

OFFICE REPORT FOR PRE-FINAL

The matters above-mentioned were listed before the Hon'ble Court on 26th July, 2010, when the Hon'ble Court was pleased to inter-alia pass the following order:

**"...Delay condoned in these appeals.
The civil appeals are admitted.
Tag the appeals with Civil Appeal No. 5442 of
2007..."**

Civil Appeal No. 6005/2010

It is submitted that there are Thirteen respondents in the matter. Respondent Nos. 1,4 and 5-8 are represented through Mr. Himinder Lal, Mr. Rakesh Kumar Sharma and Mr. Pradeep Misra, Advocates respectively. Certificate of service in respect of Respondent Nos. 2,7,9 and 11 have been received but no one has entered appearance so far. Registered A.D card have been received in respect of Respondent Nos. 3,6,10 & 12 have been received but no one has entered appearance so far. Affidavit of proof of service has been file by counsel for the appellant in respect of Respondent No. 13 but no one has entered appearance so far. The service of NLPA is complete in the matter.

It is further submitted that the counsel for the appellant and counsel for Respondent Nos. 5,7 & 8 have filed statement of case but other respondents have not filed statment of case so far.

It is also submitted that proviso 32(2) of Order XIX of New SCR 2013 read as "Provided that where as respondents who have entered appearance, does not file a statement of case within the time, as provided in sub-rule(1) it shall be presumed that respondents does not desire to lodge statement of case in the appeal."

It is lastly submitted that original record in the matters have been received and sent back to the Tribunal as per Registry's circular dt. 03.12.2014.

Civil Appeal No. 6009-10/2010

Civil Appeal No. 6009/2010

It is submitted that there are Six respondents in the matter. Respondent No. 1 and 5 are represented through Mr. Himinder Lal, Mr. Mohit Kumar Shah, Advocates respectively. Certificate of service in respect of Respondent Nos. 2-4 and 6 have been received but no one has entered appearance so far. The service of NLPA is complete in the matter.

Civil Appeal No. 6010/2010

It is submitted that there are Thirteen respondents in the matter. Common Respondent No. 1 is represented through Mr. Himinder Lal, Advocate. Respondent Nos. 4 and 5-8 are represented through Mr. Rakesh Kumar Sharma and Mr. Pradeep Misra, Advocates respectively. Certificate of service in respect of Respondent Nos. 2,3 and 9-13 have been received but no one has entered appearance so far. The service of NLPA is complete in the matter.

It is further submitted that the counsel for the appellant and counsel for Respondent Nos. 6 & 7 have filed statement of case but other respondents have not filed statment of case in the matters so far.

It is also submitted that proviso 32(2) of Order XIX of New SCR 2013 read as "Provided that where as respondents who have entered appearance, does not file a statement of case within the time, as provided in sub-rule(1) it shall be presumed that respondents does not desire to lodge statement of case in the appeal."

It is lastly submitted that original record in the matters have been received and sent back to the Tribunal as per Registry's circular dt. 03.12.2014.

The matters above-mentioned are listed before the Registrar Court for Pre-Final hearing under Order V(I) Rule 30 of SCR 2013 with this office report.

DATED THIS THE 27TH DAY OF JULY, 2015.

ASSISTANT REGISTRAR

Copy to : Mr. Nikhil Nayyar, Advocate
Mr. Mohit Kr. Shah, Advocate
Mr. Himinder Lal, Advocate
Mr. Rakesh Kr. Sharma, Advocate
Mr. Pradeep Misra, Advocate

ASSISTANT REGISTRAR