

LISTED ON : 17.11.2014

COURT NO. 8

ITEM NO. 54

SECTION XI-A

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

**PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) Nos. 33374-33375
OF 2009 WITH PRAYER FOR INTERIM RELIEF.**

WITH

INTERLOCUTORY APPLICATION NO. 1

(Application for condonation of delay in filing SLP)

AND

INTERLOCUTORY APPLICATION NO. 5

(Application for impleadment to implead party Respondents by Mr. Rameshwar Prasad Goyal, Advocate in SLP (C) No. 33374 of 2009)

AND

INTERLOCUTORY APPLICATION Nos.(Unregistered)

(Application for permission to bring on record the Lrs. of deceased Respondent No. 44 & 50 in SLP(C) No. 33374 of 2009)

A.M. Padmini Amma & Anr.

...Petitioners

Versus

V.P. Muraleedharan & Ors.

...Respondents

OFFICE REPORT

The matters above mentioned were listed before the Hon'ble Court on 8.7.2013, when the Court was pleased to pass the following order:

“ In view of letters, dated 6th July, 2013 and 5th July, 2013, circulated by learned counsel for respondent Nos. 21 to 24 and learned counsel for the petitioners respectively, two weeks' time is granted to respondents Nos. 21 to 24 to file counter affidavit. Rejoinder affidavit, if any, may be filed by the petitioners within four weeks thereafter. List thereafter.”

SLP (C) NO. 33374 OF 2009

There are 58 Respondents. M/s Temple Law Firm, Advocates have filed Vakalatnama/Appearance on behalf of Respondent Nos. 1 to 16 and have also filed counter affidavit (Copy of the same has been included in the SLP paper books for the kind perusal of the Hon'ble Court). Counsel for the petitioner has also filed rejoinder affidavit and the same is included in the SLP paper books for the kind perusal of the Hon'ble Court. Mr. P. Sureshan has filed Vakalatnama/Appearance on behalf of Respondent Nos. 17 to 19 but has not filed counter affidavit so far. Mr.

P. V. Dinesh, Advocate has filed Vakalatnama/Appearance on behalf of Respondent Nos. 21 to 24 but has not filed the counter affidavit so far. Mr. Subashish Bhowmik has filed Vakalatnama/Appearance on behalf of Respondent Nos. 28, 29, 32, 33, 41 & 50 but has not filed the counter affidavit so far. Respondent Nos. 20A to 20D, 25, 26, 27, 30, 31, 34, 35, 36, 37, 38, 39, 40 and 43, 44, 45, 46, 47, 48, 49, 51, 52, 53, 54, 55, 56, 57 & 58 have been served with notice but no one entered appearance on their behalf so far. Name of Respondent No. 42 has been deleted from the array of parties vide Court's order dated 5.2.2013.

It is further submitted that Lrs. Nos. 20A to 20D of deceased Respondent No. 20 have been brought on record vide this Court's order dated 19.11.2012 and Cause title has been amended accordingly.

It is submitted that Lrs. of Respondent No. 9 (9a to 9b) have been brought on record vide order dated 19.5.2014 in I.A. No. 10-11 and represented through M/s. Temple Law Firm Lr. of Respondent No. 57 (57a-57e) also have been brought on record vide order dated 19.5.2014 in I.A. No. 12-13 but no one entered appearance.

Service is complete in I.A. No. 5.

SLP (C) NO. 33375 OF 2009

There are 62 Respondents. M/s. Temple Law Firm, Advocates have filed Vakalatnama/Appearance on behalf of Respondent Nos. 2 to 7 and 9 to 18 and have also filed counter affidavit on their behalf. Mr. P. V. Dinesh, Advocate has filed Vakalatnama/Appearance on behalf of Respondent Nos. 23 to 26 but has not filed counter affidavit so far. M/s. B. Vinodh Kanna & Subhasish Bhowmick, Advocates have filed Vakalatnama/Appearance on behalf of Respondent No. 41 & 58 respectively and have not filed their respective counter affidavits so far. Respondent Nos. 30, 32, 33, 36, 39, 40, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57 & 59 to 62 have been served with notice but no one has entered appearance on their behalf so far.

It is further submitted that names of Respondent Nos. 1, 8, 19, 20, 22, 27 to 29, 31, 34, 35, 37, 38, 42 to 45 have been deleted vide this Court's order dated

5.3.2013 and cause title has been amended accordingly. It is further submitted that LR.s Nos. 21A to 21D of deceased Respondent No. 21 have been brought on record vide this Court's order dated 19.11.2012 and cause title has been amended accordingly.

Service of show cause notice is complete.

The matters above mentioned were again listed before the Hon'ble Court on 15.10.2014, when the Court was pleased to pass the following order:

**“Service is complete in both matters.
Despite Registrar's Court order dt.30.6.2014 counter
affidavit has not been filed by some of the respondents.
Registry to process for listing before the Hon'ble
Court as per rules.”**

It is further submitted that counsel for the petitioner has on 12.11.2014 filed applications for permission to bring on record the Lrs. Of deceased respondent No. 44 and 50 in SLP(C) 33374 of 2009 alongwith copy of death certificate but counsel for the petitioner neither filed chamber summon in respect of proposed Lrs. of deceased Respondent No. 44 and 50 nor has mentioned age of proposed Lrs. (Unregistered applications are circulated for the kind perusal of the Hon'ble Court) (expired on 27.9.2014, 21.8.2014)(within time).

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

Dated this the 12th day of November, 2014.

ASSISTANT REGISTRAR

Copy to:

1. Mr. Rameshwar Prasad Goyal, Adv.
2. Mr. P Sureshan, Adv.
3. Mr. P.V. Dinesh, Adv.
4. Mr. Subhasish Bhowmich, Adv.

ASSISTANT REGISTRAR