

LISTED ON 04.02.2014

COURT NO.3

ITEM NO. 13

SEC-IVA

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 31851,34006, 31092 ,19264-19266 OF 2009, 11276 OF 2010 SLP(C) NOS. 35923, 12100-12101, 13723-13727, 28617, 28623, 30499, 31361, 31605, 32112 OF 2009 AND 24068 OF 2011

WITH PRAYER FOR INTERIM RELIEF

AND

INTERLOCUTORY APPLICATION NOS.4-6 IN SLP(C) NOS.19264-66 OF 2009  
(Application for Directions)

AND

INTERLOCUTORY APPLICATION NO.5 & 7 IN SLP(C) NO;28617 OF 2009  
(Application for permission to file Addl. Documents).

AND

INTERLOCUTORY APPLICATION NO.5 & 7 IN SLP(C) NO;28623 OF 2009  
(Application for permission to file Addl. Documents).

AND

INTERLOCUTORY APPLICATION NO. IN SLP(c) NO. 19264-66 OF 2009  
(Application for impleadment as Respondent in I.A. Nos. 4-6)

AND

INTERLOCUTORY APPLICATION NOS. 7-9 IN SLP(C) NO. 19264-66 OF 2009  
(Application for impleadment)

AND

INTERLOCTORY APPLICATION NOS. 10-12 IN SLP(C) NO. 19264-66 OF 2009  
(Application in reply to the impleadment application in I.A. Nos. 7-9)

AND

INTERLOCUTORY APPLICATION NO. 4 IN SLP(C) NO. 34006 OF 2009  
(Application for impleadment as party respondent)

AND

INTERLOCUTORY APPLICATION NO. 2 IN SLP(C) NO. 31092 OF 2009  
(Application for impleadment as party respondent)

AND

INTERLOCUTORY APPLICATION NO. 2 IN SLP(C) NO. 24068 OF 2011  
(Application for directions)

AND

INTERLOCUTORY APPLICATION NO. 5 IN SLP(C) NO. 34006 OF 2009  
(Application for producing additional documents)

AND

INTERLOCTORY APPLICATION NO. 5 IN SLP(C) NO. 13723-13727 OF 2009  
(Application for intervention)

M/s B.R.N. Black Diamond Overseas

...Petitioner

-VERSUS-

The State of Karnataka & Ors. Etc.

...Respondents

COMMON OFFICE REPORT

The matters above mentioned were listed before the Hon'ble Court on 07.01.2014 with an office report dated 06.01.2014, when the Court was pleased to pass the following order:

"SLP(C)Nos. 13723-13727/09, 12100-12101/09,19264-19266/09

It is brought to our notice that respondent, Vikram Nikkam has expired during the pendency of these special leave petitions. Therefore, request is made that an appropriate application be filed by learned counsel for the petitioner(s) to bring legal representatives of the aforesaid respondent. Request of the learned counsel is reasonable and therefore it is granted.

Learned counsel for the petitioner(s) shall file such an application as early as possible, at any rate, within three weeks' time from today.

List the matters after three weeks."

SLP (C) No. 19264-19266/2009

It is submitted that counsel for the petitioner has on 27.01.2014 filed application for substitution to bring on record the proposed Lrs. of deceased respondent no. 4 in SLP (C) No. 19264/2009 and respondent no. 5 in SLP (C) No. 19265-19266/2009 namely Vikram Nikkam but the said application is defective for the following reason:

1. Date of death not mentioned,
2. Death Certificate is not filed,
3. Chamber Summons not filed,
4. No other Lrs. has not been mentioned and
5. Complete Court fee not filed.

A letter was issued to counsel for the petitioner on 28.01.2014 but counsel for the petitioner has not cure the defects.

SLP (C) No. 12100-12101/2009

It is submitted that counsel for the petitioner has on 29.01.2014 filed application for substitution to bringing on record the proposed Lrs. of deceased respondent no. 5 in SLP (C) No. 12100/2009 namely Vikram Nikkam but the said application is defective for the following reason:

1. Death Certificate no filed,
2. Chamber Summons not filed,
3. Lrs. of age not mentioned
4. No other Lrs. has not been mentioned and
5. Proof of service on Ms. Anita Shenoy, Advocate and M/s  
Khaitan & Co., Advocates not filed

A letter was issued to counsel for the petitioner has on 30.01.2014 but counsel for the petitioner has not cured the defects.

SLP (C) No. 13723-13727/2009

It is submitted that counsel for the petitioner has on 30.01.2014 filed application for substitution to bringing on record the proposed Lrs. of deceased respondent no. 5 in SLP (C) No. 13723 & 13725/2009 and respondent no. 6 in SLP (C) No. 13726/2009 namely Vikram Nikkam but the said application is defective for the following reason:

1. Death Certificate no filed,
2. Chamber Summons not filed,
3. Age of Lrs. not given and
4. No other Lrs. has not been mentioned.

It is lastly submitted that matter is on board hence, the same are being circulated with this office report.



The matters are listed before the Hon'ble Court with this Office Report.

Dated on this the 3<sup>rd</sup> day of February, 2014.

ASSISTANT REGISTRAR

Copy to: Mr. A. S. Kulkarni, Advocate  
Mr. Suresh A. Shroff & Co., Advocate  
Mr. A. Raghunath, Advocate  
Mr. Anitha Shenoy, Advocate  
Mr.Sridhar Potaraju, Advocate.  
M/s.S.Narain & Co., Advocates.  
M/s.Karanjawala & Co.  
Ms.A. Sumathi, Advocate.  
M/s Khaitan & Co., Advocate  
Mr. K.Rajeev, Advocate  
M/s A.P & J Chambers, Advocates  
Mr. P.V.Dinesh, Advocate  
Mr. S.K.Kulkarni, Advocate  
M/s Lex Regis Law Offices, Advocates

ASSISTANT REGISTRAR

SK/-