

LISTING ON 03.10.2016
COURT NO. 10
ITEM NO. 51

SEC-IVA

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 12417 OF 2010 & 31070 OF 2009
WITH PRAYER FOR INTERIM RELIEF
AND
INTERLOCUTORY APPLICATION NO. 5
(Application for exemption from filing O.T. in SLP No. 12417/2010)
AND
INTERLOCUTORY APPLICATION No. 8
(Application for Substitution in SLP No. 31070/2009)

Deshraj Singh Parmar & Ors.

...Petitioners

VERSUS

Ram Babu Agarwal & Ors.

...Respondents

OFFICE REPORT

SLP Nos. 12417 of 2010

The matter above mentioned was listed before the Hon'ble Court on 19.04.2010, when the following order was passed:

“Delay condoned.
Issue notice.”

Accordingly, show cause notice issued to all the 5 Respondents through registered AD Post. Ms. Pratibha Jain, Advocate has filed vakalatnama/memo of appearance & counter affidavit on behalf of Respondent No. 1. Ms. Puja Sharma, Advocate filed counter affidavit on behalf of Respondent No. 2 in SLP 12417/2010 without filing memo of appearance, however, respondent No. 2 is same as Respondent No. 8 in SLP No. 31070/2009 and is represented by Ms. Puja Sharma, Advocate. Respondent no. 3 is served with notice by Regd. A.D. post, but no one has appeared on behalf of Respondent No. 3. Respondent Nos. 4 and 5 have been deleted from array of parties vide Court's order dated 05.04.2011. Mr. Navin Prakash, Advocate filed Rejoinder affidavit on behalf of the petitioners to the counter affidavit of Respondent No. 1 and copy of same has been included in the paper book.

It is submitted that Lrs. of deceased petitioner no. 3 have been brought on record vide Court's order dated 21.01.2016. Amended cause title has already been included in the paper books.

SLP Nos. 31070 of 2009

The matter above mentioned was listed before the Hon'ble Court on 04.12.2009 when the Court was pleased to pass the following Order:

“Issue notice.

Until further orders, we direct the parties to maintain status quo, as it exists today, on the disputed Pooja Ghar.”

Accordingly, show cause notice was issued to all the 11 respondents through courier. Mr. Navin Prakash, Advocate represent Respondent Nos. 1-7 and has also filed counter affidavit with an application for exemption from filing official translation and the same has been included in the paper books. Service upon respondent no. 9 is complete by way of courier. Ms. Puja Sharma, Advocate represent Respondent No. 8 and has also filed counter affidavit and the same has been included in SLP paper books.

It is submitted that name of respondent nos. 10 and 11 have been deleted from the array of parties vide order dated 01.02.2011 of Hon'ble Judge in Chambers passed in I.A. Nos. 3 and 4.

Service of show cause notice is complete.

It is further submitted that counsel for the petitioner has also filed rejoinder affidavit on behalf of respondent nos. 1-7 & 8 and the same has been included in SLP paper books.

It is also submitted that Ms. Pratibha Jain, counsel for the petitioner has filed application for substitution to bring on record the Lrs. of deceased respondent no. 3 with chamber summons. Chamber summons for effecting service on the proposed Lrs. of deceased respondent no. 3 was issued and counsel for the petitioner has filed affidavit of chamber summons with duly signed A.D. cards of both Lrs. of deceased respondent no. 3, but no appearance, on behalf of both the Lrs., is filed.

It is further submitted that deceased respondent no. 3 Viz Harvilas Aggarwal in Special Leave Petition is Petitioner No. 3 in main Special Leave Petition No. 12417 of 2010. His Lrs. have already brought on record.

The matters above mentioned are, therefore, listed before the Registrar Court with this Office Report.

Dated this the 30th day of September, 2016.

ASSISTANT REGISTRAR

Copy to: Mr. Navin Prakash, Advocate
Ms. Puja Sharma, Advocate
Ms. Pratibha Jain, Advocate

ASSISTANT REGISTRAR