

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

**CIVIL APPEAL No. 7023 OF 2011.**

**D. Gopalakrishna Pillai & Ors.**

**...Appellants**

**Versus**

**State of Kerala & Anr.**

**...Respondents**

**OFFICE REPORT**

This is an appeal by special leave against the judgment and order dated 16.0.2009 of the High Court of Kerala at Ernakulam in W.A. No. 1432 of 2005 in which this Hon'ble Court has granted leave on 08.08.2011.

It is submitted for the information of the Hon'ble Court that counsel for the appellant has on 3.4.2013 filed statement of case but counsel for the Respondent No. 1 has not filed the same so far.

Service of notice of lodgment of petition of appeal is complete.

Original Record has been received from the High Court.

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

The matter above mentioned is listed before the Ld. Registrar under order V Rule 30 SCR 2013 for pre-final hearing.

Dated this the 16<sup>th</sup> day of September, 2014.

ASSISTANT REGISTRAR

Copy to :

Mr. A. Raghunath, Adv.

Ms. Liz Mathew, Adv.

ASSISTANT REGISTRAR