

LISTED ON: 30.07.2014
BEFORE COURT NO.: 4
ITEM NO.: 01

SECTION-IX
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 7864 OF 2009 ARISING
OUT OF SLP(C).....CC NO. 2420 OF 2009

WITH PRAYER FOR INTERIM RELIEF

AND

INTERLOCUTORY APPLICATION NO. 5

(Application for Directions)

SHREE SWAMI NARAYAN TEMPLE ...PETITIONER

-VERSUS-

OFFICIAL LIQUIDATOR OF GUJARAT STATE

TEXTILE CORPORATION AND OTHERS

...RESPONDENTS

OFFICE REPORT

The matter above-mentioned was listed before the Hon'ble Court on 16th March, 2009 along with other connected matters, when the Court was pleased to pass the following order:-

“In S.L.P.(C) No. 1866/09, 2583/09 and CC2420/2009

Delay condoned in S.L.P(C) No.....CC2420/2009.

Issue notice . Dasti granted.

Stay of auction till further orders. This stay will continue only up to 29th July, 2009, if service is not complete, the stay shall stand vacated.

List on 29th July, 2009.”

Thereafter, matter above-mentioned was again listed before the Hon'ble Court on 12th August, 2009 along with other connected matters, when the Court was pleased to pass the following order:-

“ List immediately after the Constitution Bench is over.
Stay granted, if any, to continue till further orders.”

And lastly, Interlocutory Application No. 4 i.e. (application for Impleadment) along with Interlocutory Application No. 5 i.e. (application for Directions) were listed before the Hon'ble Court on 09th May, 2014, when the Court was pleased to pass the following Order:-

Contd...2/-

“ I.A.NO. 4 (For Impleadment)

Having perused the averments made in the application for impleadment, the application is allowed.

Issue notice to the newly added respondents, returnable on 30.07.2014. They may file their counter affidavit within four weeks from the date of service of notice to them.

I.A.NO. 5 (For Directions)

Issue notice on the application for directions returnable on 30.07.2014.

It is submitted for information of the Hon'ble Court that the instant matter is connected with the Special Leave Petition (Civil) No. 29632 of 2008 (Main Matter) and other connected matters which are final disposal matters and are to be listed before the Hon'ble Court on 12th August, 2014.

SERVICE POSITION OF SLP

It is submitted for information of the Hon'ble Court that there are three respondents in the instant matter. Respondent No. 1 is represented by Ms. Sushma Suri, Advocate but no counter affidavit has been filed so far. Respondent No. 2 has been served with notice but no one has entered appearance on behalf of the said respondent so far. Pursuant to Hon'ble Court's Order dated 09th May, 2014 Respondent No. 3 viz. Ministry of Health and Family Welfare Department, Gujarat has been added as a new respondent and notice returnable for 30th July, 2014 has been issued to the said respondent through Ms. Hemantika Wahi, Advocate standing counsel for the State of Gujarat, but she has not filed vakalatnama and appearance so far.

Service of notice is not complete on Respondent No. 3 in the SLP.

SERVICE POSITION OF APPLICATION FOR DIRECTIONS.

It is submitted for information of the Hon'ble Court that pursuant to Hon'ble Court's Order dated 09th May, 2014 notice returnable for 30th July, 2014 has been issued to Respondent Nos. 1 and 2. Respondent No. 1 is represented by Ms. Sushma Suri, Advocate but no counter affidavit has been filed so far. Neither A.D. Card nor unserved cover has been received back from Respondent No. 2 so far.

Service of notice is not complete on Respondent No. 2 in the application for directions.

Contd....3/-

It is further submitted that Mr. Sanjay R. Hegde, Advocate who is not a party in the instant matter has circulated a letter dated 24th July, 2014 requesting therein to adjourn the matter in order to file Reply Affidavit in the Interlocutory Application No. 5 i.e. (Application for directions.) copy of the letter is enclosed herewith.

The matter along with application above mentioned is listed before the Hon'ble Court with this report.

Dated this the 26th day of July, 2014.

ASSISTANT REGISTRAR

Copy to:

MR. NIKHIL GOEL, ADVOCATE

MS. SUSHMA SURI, ADVOCATE

MR. SANJAY R. HEGDE, ADVOCATE

ASSISTANT REGISTRAR