

**SECTION XVII**

MATTER FOR : 10.12.2015  
R/COURT NO. :  
ITEM NO. :

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
**CIVIL APPEAL NO. 258 OF 2012**

Department of Telecommunication ... Appellant  
VERSUS  
M/s Essel Shyam Communications Ltd. ... Respondent

**OFFICE REPORT FOR PRE-FINAL HEARING**

The matter above mentioned was listed before the Hon'ble Court on 09<sup>th</sup> January, 2012, when the court was pleased to pass the following order:-

**"Delay condoned.**

**Issue notice.**

**Mr. Jayant Mehta, learned counsel, appears and accepts notice on behalf of the respondent.**

**Two weeks time is granted to the respondent to file additional documents.**

**Place this appeal with Civil Appeal No.9827 of 2010."**

It is submitted that the sole respondent is represented through Mr. Jayant Mehta, Advocate. The service of Notice of Lodgement of Petition of Appeal is complete in the matter.

It is further submitted that the counsel for the appellant and counsel for the sole respondent have not filed the statement of case so far.

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

It is lastly submitted that original record in the matter has been received and sent back to the Tribunal as per Registry's circular dt. 03.12.2014.

The matters above-mentioned are listed before the Registrar Court for Pre-Final hearing under Order V(I) Rule 30 of SCR 2013 with this office report.

DATED THIS THE 02ND DAY OF DECEMBER, 2015.

ASSISTANT REGISTRAR

Copy to : Mr. A.K. Sharma, Advocate

Mr. Jayant Mehta, Advocate

ASSISTANT REGISTRAR