

REGISTRAR COURT. 2

SECTION XII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

BEFORE THE REGISTRAR M K HANJURA

Civil Appeal No(s). 2834/2010

A.V.SURESHBABU

Appellant(s)

VERSUS

P.PERUMAL & ORS.

Respondent(s)

(with interim relief and office report)

WITH

C.A. No. 2842/2010

(With Office Report)

Date : 28/04/2015 These appeals were called on for hearing today.

For Appellant(s)

Ms. N. Shoba,Adv.

Mrs. Revathy Raghavan,Adv.

For Respondent(s)

Mr. Rajinder Singh,Adv.

Mr. Shiv Prakash Pandey,Adv.

Mr. V. G. Pragasam,Adv.

Ms. T. Anamika,Adv.

UPON hearing the counsel the Court made the following
O R D E R

C.A. No. 2834/2010

The office report indicates that the appellants has filed the statement of case and the Id. Counsel for the respondents has failed to file the same although he has been notified to do so by letter dated 2.1.2013 of the Registry. Order XIX Rule 32 of the

Supreme Court Rules,2013 provides that where the respondent has entered appearance and he does not file a statement of case within the time, as provided in Sub Rule(1) (i.e. 35 days) it shall be presumed that he does not desire to lodge the same. In view of the rule position cited above the matter shall be processed for listing before the Hon'ble Court under the rules.

C.A. Nos. 2840-2841/2010

The office report indicates that the Id. Counsel for the appellant and the Id. Counsel for the respondent No.1 have failed to file the statement of case, although they have been notified to do so by notice dated 3.10.2013 of the Registry. The office report proceeds to state that respondent No. 2 has been deleted from the array of the parties by order dated 2.4.2009 of the Hon'ble Judge in Chamber. Order XIX Rule 32 of the Supreme Court Rules,2013 provides that if the appellant does not file a statement of case within the time, as provided for in sub rule (1), it shall be presumed that the appellant has adopted the list of dates/synopsis containing chronology of events as filed at the time of presentation of petition for seeking special leave to appeal (SLP)/Appeal, as statement of case, and does not desire to file any further statement of case. The order further provides that if the respondent who has entered appearance does not file a statement of case within the time, as provided in Sub Rule(1) (i.e. 35 days) it shall be presumed that he does not desire to lodge the same. Therefore, in view of the rule position cited above the matter shall be processed for listing before the Hon'ble Court under the rules.

(M K HANJURA)
Registrar