

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

SECTION XVII

LISTED ON: 15.9.2016
Ld. REGISTRAR COURT.:
ITEM No.:

TRANSFER CASE (CIVIL) NO. 38 OF 2015

GURGAON GRAMIN BANK WORKERS ORGANISATION
THROUGH ITS GENERAL SECRETARY.

...Petitioners

Versus

UNION OF INDIA AND ORS.

...Respondents

OFFICE REPORT

Pursuant to this Court Order dated 8th December, 2014 passed in Transfer Petition (Civil) 1656 of 2014, the High Court of Delhi has transmitted the Original Record of W.P. ©No. 1981 of 2014 which has been registered as Transferred Case No. 38 of 2015 and tagged with Writ Petition ©No. 210 of 2013..

The service position in the matter is as under:-

Sl. No.	T.C. No.	High Court Particulars	Remarks.
1	T.C. No. 38 of 2015 @ T.P (C) No. 1656 of 2014	High Court of Delhi Writ Petition (C) No. 1981 of 2014.	<p>No. of Petitioner = 2 Nos. Of Respondents = 26 Certificate of service regarding transmission of Original record to this Hon'ble Court has been received in respect of Petitioner No. 1.</p> <p>Petitioner No. 2 is represented by Mr. R . P. Goyal, Advocate. Certificate of service regarding transmission of Original record to this Hon'ble Court has been received in respect of Respondent No. 1, 2, 4, 5, 7, 9,10, 18, 20, 22, 25 & 26.</p> <p>Respondent Nos. 3, 13 & 21, 6 & 23, 11, 12, 17 & 24 are represented by Mr. Sanjay Kapur, Advocate, Anuvrat Sharma, Advocate, Mr. Sarfaraz Khan, Advocate, Mr. Praveen Agrawal, Advocate, Mr. A.V. Rangam and M/s. Mitter & Mitter & Co. Advocates respectively.</p> <p>Certificate of service regarding transmission of Original Record to this Court has not been received from the High Court in respect of Respondent Nos. 8, 14 to 16.</p> <p>It is submitted that High Court has stated that Respondent No. 19 namely State Bank of Mysore (Head Office does not exist at given address) and Counsel for the Petitioner has not furnished the fresh and latest Address despite this Registry letter dated 17th June, 2015.</p>

Cont..2/-

Thereafter the matter above mentioned was listed before the Learned Registrar Court on 28th January, 2016 when he was pleased to pass the following order :-

"The appearing respondents have failed to file the counter affidavit within the period stipulated under the rules.

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The office report is that the certificate of service in respect of the respondent Nos.2,8,10,14-16 and 24 has not been received from the concerned High Court as yet. A reminder shall be issued.

Ld.counsel for the respondent Nos.3, 13 & 21 has stated that the copies of the pleadings have not been provided to her by the petitioner. Ld.counsel for the petitioner shall provide the copies of the pleadings to the Ld.counsel within a week's time and file proof.

Ld.counsel shall file the counter affidavit within a period of four weeks thereafter.

Ld.counsel for the petitioner has failed to take fresh steps in respect of the respondent No.19 in spite of last chance granted.

Viewed in that context, the matter shall be processed for listing before the Hon'ble Judge in Chambers for further directions. Await orders and list thereafter."

It is submitted that Counsel for the Petitioner has not furnished the fresh and latest Address despite this Registry letter dated 17th June, 2015, in respect of the Respondent No. 19 namely State Bank of Mysore (Head Office does not exist at given address).

The Office Report on default is listed before the Hon'ble Judge in Chamber on 18th March, 2016 when His Lordship was pleased to pass the following order :

"None appears for the petitioner.

Learned counsel appearing for respondent nos.3, 13 and 21 submits that copies of the pleadings are not furnished by learned counsel for the petitioner.

Learned counsel for the petitioner is finally granted two weeks' time to supply the copies of the pleadings to respondent nos.3, 13 and 21 and to take fresh steps to serve notice upon unserved respondent nos.8, 10, 14, 15, 16 and 19."

Contd..3/-

It is submitted that Counsel for the petitioner has not file proof of service to serve the copy of the pleading on the Respondent Nos. 3, 13 & 21 till date.

It is further submitted that Counsel for the petitioner has not taken fresh steps to serve notice upon unserved respondent Nos. 8, 14, 15, 16 and 19. hence, show cause notice could not be issued on unserved Respondents.

Service is not complete on respondent Nos. 8, 14, 15, 16, 19.

The matter above-mentioned is listed before the Ld. Registrar Court with this Office Report.

Dated this the 14th day of September, 2016.

ASSISTANT REGISTRAR

Copy to:

Mr. R . P. Goyal, Advocate.
Mr. Sanjay Kapur, Advocate.
Mr. Anuvrat Sharma, Advocate,
Mr. Sarfaraz Khan, Advocate,
Mr. Praveen Agrawal, Advocate,
Mr. A.V. Rangam, Advocate,
M/s. Mitter & Mitter & Co., Advocate.

ASSISTANT REGISTRAR