

LISTING ON 06.05.2016

COURT NO. 4

ITEM NO. 7

SEC.IV-A

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 3715-16, 4397, 6196-97 & 8137-38 OF 2016

WITH PRAYER FOR INTERIM RELIEF

AND

INTERLOCUTORY APPLICATION NOS. 2-3 IN SLP NOS. 3715-16 OF 2016

(Application for impleadment filed by Mr. Satya Mitra, Advocate)

The Daly College,
Indore Board of Governors Etc. Etc.

...Petitioners

-Versus-

State of Madhya Pradesh & Ors.

...Respondents

OFFICE REPORT

SLP Nos. 3715-16/2016

The matter above mentioned was listed before the Hon'ble Court on 01.02.2016, when the Court was pleased to pass the following order:

"Delay condoned.

Issue notice returnable within three weeks.

Dasti, in addition, is permitted.

However, the order passed by the High Court shall be implemented in the meantime subject to result of the special leave petition. As we are debating over the issue and passed an interim order of the present nature, the High Court shall not proceed with the matter."

Accordingly, show cause notice was issued to all the three respondents on 08.02.2016 through speed post as well dasti. Mr. Arjun Garg, Advocate has on 30.03.2016 filed vakalat/appearance and counter affidavit on behalf of all the respondents and same is included in the paper books.

Service of show cause notice is complete.

It is submitted that Mr. Satya Mitra, Advocate has on 18.03.2016 filed impleadment application along with vakalatnama/memo of appearance for the applicant proposed to be impleaded but same was defective for the reason that Annexure A-6 is a copy of High Court order in W.A. No. 458/2015 whereas it is mentioned as W.A. No. 882/2015 in the index at serial no. 7 and counsel has now cured the said defect and the same is registered and is being circulated herewith.

SLP Nos. 6196-97 & 4397 of 2016

The matters above mentioned were listed before the Hon'ble Court on 26.02.2016, when the Court was pleased to pass the following order:

*“Delay condoned.
Issue notice returnable within three weeks.
Dasti, in addition, is permitted.*

However, the order passed by the High Court shall be 2 implemented in the meantime subject to result of the special leave petition. As we are debating over the issue and passed an interim order of the present nature, the High Court shall not proceed with the matter.

Tag with SLP (C) No.....CC No.1482 of 2016.”

Accordingly, common show cause notice was issued to all the three common respondents in these SLPs on 09.03.2016 through Regd. A.D. post as well as dasti. Counsel for the petitioner has filed affidavit of dasti service with affidavit in respect of all the respondents only in SLP No. 4397/2016 but no one has entered appearance on their behalf, till date.

Neither A D cards nor unerved covers have been received in respect of all the three common respondents in SLP Nos. 6196-97/2016 & 4397/2016.

The counsel for the petitioner has not filed affidavit of dasti service with proof of service of notice of common 3 respondents in SLP Nos. 6196-6197/2016. However all the three respondents are common in these SLPs.

Service is not complete in SLP Nos. 6196-97/2016. However, respondents are served with dasti notice in SLP No. 4397/2016.

SLP Nos. 8137-38/2016

The matter above mentioned was listed before the Hon'ble Court on 14.03.2016, when the Court was pleased to pass the following order:

*“Delay condoned.
Issue notice.
Tag with SLP (C) No..... (CC 1482/2016).”*

Accordingly, show cause notice was issued to all the 3 respondents on 11.04.2016 through Regd A D post. Neither A D nor unserved cover has been received from all the 3 respondents till date. However, all 3 respondents are common in all the SLPs and they have been served with notice in connected matters.

Thereafter, the matters above mentioned were listed before Registrar Court on 07.04.2016, when the following order was passed:

“SLP(C) Nos.3715-3716/2016

The respondents shall be at liberty to file the counter affidavit within a period of four weeks.

Mr.Satya Mitra, Ld.counsel has filed an application for impleadment which is found to be defective. Ld.counsel shall within a period of four weeks cure the defects.

SLP(C) No.8137-8138/2016

Registry to issue notice to all the unserved respondents immediately.

List the above matters again on 05.07.2016.

SLP(C) No. 4397/2016

The office report indicates that service of notice is complete on the respondents, but no one has entered appearance on their behalf. Viewed thus, the matter shall be processed for listing before the Hon'ble Court as per rules.

SLP(C) No. 6196-6197/2016

All the respondents are common in other matters. Hence, service is deemed as complete against them. Viewed thus, the matters shall be processed for listing before the Hon'ble Court as per rules.”

The matters above mentioned are, therefore, listed before the Hon'ble Court with this Office Report.

Dated this the 5th day of May, 2016.

Copy to: Mr. Anupam Lal Das, Advocate
Mr. Arjun Garg, Advocate
Mr. T. G. Nair, Advocate

ASSISTANT REGISTRAR

ASSISTANT REGISTRAR