

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 SH. ANIL LAXMAN PANSARE

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 21380/2019

DELHI DEVELOPMENT AUTHORITY

Petitioner(s)

VERSUS

ANIL KUMAR JAIN & ORS.

Respondent(s)

Date : 21-11-2019 This petition was called on for hearing today.

For Petitioner(s)

Ms. Garima Prashad, AOR

For Respondent(s)

Mrs. Balvinder Kaur Brar, AOR

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

None appeared for the petitioner and respondent no.1 when called.

Service is complete on respondent nos. 2 and 3 but none has entered appearance.

On 8.11.2019 also, none appeared for respondent no.1. As per office report, ld. Counsel for the petitioner has on 18.11.2019 filed proof of service of copies of pleadings on the ld. Counsel for respondent no.1. Registry has tendered report in view of order dated 8.11.2019 mentioning therein that ld. Counsel for the petitioner has in July 2019 filed three sets of spare copies of pleadings. Accordingly show cause notice alongwith spare copies of pleadings was

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issued to the respondents through registered post, A.D. on 13.7.2019. However, service of notice is not conclusive, but Ld. Advocate-on-record, Mrs Balvinder Kaur Brar has on 6.8.2019 filed vakalatnama on behalf of respondent no.1, which means that notice alongwith copy of pleadings has been duly served upon respondent no.1. Order XXI, Rule 14(1), Supreme Court Rules, 2013 provides that respondent shall be entitled to oppose grant of leave without filing written objection. It further provides that he shall also be at liberty to file his objection within 30 days from the date of receipt of notice or not later than 2 weeks before the date appointed for hearing, whichever be earlier. However, counter affidavit is not filed till today. As per office report, none appeared for respondent no.1 on previous date also i.e., 8.11.2019. There is neither written application for extension of time to file pleadings in terms of Order V Rule 1(22) of Supreme Court Rules, 2013 nor is there oral request to that effect. It appears that respondents are not interested in filing counter affidavit and, therefore, opportunity to file counter affidavit stands declined.

Registry to process the matter for listing before the Hon'ble Court as per rules.

ANIL LAXMAN PANSARE
Registrar