

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION**WRIT PETITION (C) NO. 132 OF 2016**

(UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA)

WITH

INTERLOCUTORY APPLICATION NO. 4 OF 2017

(APPLICATION FOR DISCHARGE OF EARLIER ADVOCATE-ON-RECORD)

AND

INTERLOCUTORY APPLICATION NO. 5 OF 2017

(APPLICATION FOR IMPLEADMENT)

AND

INTERLOCUTORY APPLICATION NO. 3 & 6 OF 2017

(APPLICATION FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS)

RAJNEESH KUMAR PANDEY & ORS.

...PETITIONERS

-VERSUS-

UNION OF INDIA & ORS.

...RESPONDENTS

OFFICE- REPORT

The writ petition above-mentioned was listed before the Hon'ble Court on 08.03.2016, when the Court was pleased to pass, *inter alia*, the following order:

"xxx xxx xxx**Regard being had to the assertions made in the writ petition and considering the specific prayers made in the prayer clause, issue notice, returnable within six weeks.****Dasti, in addition, is permitted."**

It is submitted that a returnable show cause notice was issued to all the five respondents by speed post on 30.03.2016. Notice has been served on all the five respondents as per the tracking information of the postal authorities. Mr. G.S. Makker, Advocate has on 11.07.2016 filed vakalatnama/appearance and on 07.11.2016 filed counter affidavit on behalf of respondent no. 1. Ms. Sunita Rao, Advocate has on 02.08.2016 filed vakalatnama/appearance and counter affidavit on behalf of respondent no. 5 (copies of both the counter affidavits have been included in the paper books). No one has entered appearance on behalf of respondent nos. 2 to 4 though served with notice.

It is further submitted that dasti notice was handed over to the counsel for the petitioners and the counsel has on 19.04.2016 filed affidavit of dasti service after serving dasti notice on all five respondents.

It is further submitted that the writ petition above-mentioned was listed before the Court of Registrar from time to time and was lastly listed on 02.09.2016, when the following order was passed:

"Respondent No.5 has already filed the counter affidavit. Service of notice is complete on the respondent Nos.2 to 4 but no one has entered appearance on their behalf.

Four weeks time, as last chance is given to the respondent No. 1 to file the counter affidavit. After expiry of four weeks, list the matter before the Hon'ble Court."

It is submitted that Mr. Satyajeet Kumar, Advocate has on 21.11.2016 filed an application for permission to file additional documents along with an application for discharge of the earlier Advocate-on-record on behalf of the petitioner. The said applications have been registered as I.A. Nos. 3 and 4 respectively (copies of the same have been included in the paper books).

It is further submitted that Mr. Satyajeet Kumar, Advocate has on 21.11.2016 filed application for impleadment as party petitioners on behalf of 14 applicants along with an application for permission to file additional documents. The said applications have been registered as I.A. Nos. 5 and 6 respectively (copies of the same have been included in the paper books).

It is further submitted that Mr. Satyajeet Kumar, Advocate has on 03.03.2017 filed a short rejoinder affidavit on behalf of the petitioners. He has on 21.11.2016 filed an application for discharge of earlier advocate-on-record (registered as I.A. No. 4 of 2017), and the same is still pending before the Hon'ble Court (copy of the short rejoinder affidavit is being circulated herewith).

It is lastly submitted that the matter was mentioned before the Hon'ble Court on 21.02.2017, when the Court was pleased to pass the following order:

**"On mentioning, the matter is taken on Board.
List the matters on 6th March, 2017."**

Service of notice is complete.

The writ petition along with applications above-mentioned is listed before the Hon'ble Court with this office report.

Dated this the 3rd day of March, 2017.

ASSISTANT REGISTRAR

Copy to:

Mr. Yash Pal Dhingra, Advocate
Mr. G.S. Makker, Advocate
Ms. B. Sunita Rao, Advocate
Mr. Satyajeet Kumar, Advocate

ASSISTANT REGISTRAR