

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

**INTERLOCUTORY APPLICATION NOS. 2 & 4**

(APPLICATION FOR VACATING STAY AND RECALLING THE COURT'S ORDER  
DATED 23.06.2015 RESPECTIVELY)

IN

**WRIT PETITION (CIVIL) NO. 264 OF 2015**

(UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA)

AND

**WRIT PETITION (CIVIL) NO. 40 OF 2014**

(UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA)

AND

**INTERLOCUTORY APPLICATION NOS. 1 & 3**

(APPLICATION FOR DIRECTIONS & RECALLING THE COURT'S ORDER DATED  
18.02.2015 RESPECTIVELY)

RAJINI BRIAN CASTELLINO ETC.

...PETITIONERS

-VERSUS-

UNION OF INDIA & ORS.

...RESPONDENTS

OFFICE - REPORT

**W.P. (C) No.264 of 2015**

It is submitted that I.A. No.2 (Application for vacating stay) in Writ Petition(C) No.264 of 2015 was listed before the Hon'ble Court with office report dated 30.06.2015, when the Court was pleased to pass the following order:

**"List on 10.07.2015 along with Writ Petition(C)  
No. 40 of 2014."**

It is further submitted that Mr. Rabin Majumder, Advocate for the petitioner has on 3.7.2015 filed an application for recalling the order dated 23.06.2015 and the same has been registered as I.A. No.4.

It is further submitted that Mr. Rabin Majumder, Advocate for the petitioner has not filed proof of service after serving the copy of the petition on Mr. Arun Agrawal, Advocate for respondent Nos.5 & 6, despite letter of Advocate dated 3.7.2015.

**W.P. (C) No.40 of 2014**

It is submitted that the Writ Petition above-mentioned was mentioned before the Hon'ble Court on 21.01.2014, when the Court was pleased to pass the following order:

**"Taken on Board.**

**Issue notice.**

**Tag with Civil Appeal No. 5680 of 2009.**

**In the meantime, the respondent-Bank shall remain restrained from proceeding further under the provisions of the Securitizaion and Reconstruction of Financial Assets and Enforcement of Security Interest, 2002 (Sarfasi Act, 2002) as far as the petitioner is concerned."**

It is further submitted that in pursuant of the aforesaid order, notice has been issued to all the four respondents by speed post copy endorsed to their standing counsel for information. Mr. Rajiv M. Ray, Advocate has entered appearance on behalf of respondent No. 2 but counter affidavit has not been filed. No one has entered appearance on behalf of Respondent Nos. 1, 3 & 4 though served with notice by speed post.

Ms. Usha Reddy, Advocate for the petitioner has filed an interlocutory application for recalling the order dated 18.02.2015 and is registered as I.A. No.3. (Copy is placed below with the paper books of Writ Petition.)

Service of notice is complete by way of speed post.

As the matters are on board, hence this Office Report.

Dated this the 8th day of July, 2015.

ASSISTANT REGISTRAR

Copy to:

Mr. Rabin Majumder, Advocate  
Mr. Rajeev M. Roy, Advocate  
Mr. Arun Aggarwal, Advocate  
Ms. S. Usha Reddy, Advocate

ASSISTANT REGISTRAR