

Listed On: 23.02.2017
Before Court No. 7
Item No. 12

SECTION XIV
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CC No. 23348 and 23381/2016
PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) No. /2016

AND

INTERLOCUTORY APPLICATION NOS. 1 AND 2

(Applications for condonation of delay in filing and re-filing SLPs)

DELHI DEVELOPMENT AUTHORITY

...PETITIONERS

Versus

SHANTI INDIA PVT. LTD. & ORS. ETC.

..RESPONDENTS

OFFICE REPORT

SLP (C) CC NO. 23348/2016

It is submitted for the information of the Hon'ble Court that the instant matter has been filed against the Judgment and Order dated 11.08.2015 of the High Court of Delhi at New Delhi in Writ Petition (C) No. 2293/2015. The matter initially filed on 22.08.2016 is barred by time by 287 days. The matter was found defective and returned to the counsel. He has on 23.11.2016 refiled the matter after curing the defects which is barred by time by 69 days. Counsel for the petitioner has also filed an application for exemption from filing certified copy of impugned order (unregistered) and the same has been included in SLP Paper Books.

It is further submitted that Civil Appeal No. 4995/2016 @ Special Leave Petition(C) No. 6250/2015 arising out of similar issue was listed before the Hon'ble Court on 10.05.2016, when the Court was pleased to dismiss the same. Copy of Judgment dated 10.05.2016 is enclosed herewith.

It is further submitted that Civil Appeal No. 11967/2016 @ Special Leave Petition(C) No. 36178/2016 @ SLP (C) CC No. 22629/2016 arising out of similar issue was listed before the Hon'ble Court on 05.12.2016, when the Court was pleased to dismiss the same. Copy of order dated 05.12.2016 is enclosed herewith.

It is lastly submitted that counsel for the petitioner was required to file copy of order dated 10.09.2014, 12.09.2014, 23.09.2014 and 18.11.2007 etc and relied upon judgments. In this regard, he has given a letter dated 28.11.2016 and the same has been placed at Page No. 92 of Special Leave Petition paper books.

SLP (C)CC NO. 23381/2016

It is submitted for the information of the Hon'ble Court that the instant matter has been filed against the Judgment and Order dated 02.05.2016 of the High Court of Delhi at New Delhi in Writ Petition (C) No. 2594/2015. The matter initially filed on 01.09.2016 is barred by time by 32 days. The matter was found defective and returned to the counsel. He has on 28.11.2016 refiled the matter after curing the defects which is barred by time by 58 days. Counsel for the petitioner has also filed an application for exemption from filing certified copy of impugned order (unregistered) and the same has been included in SLP Paper Books.

It is further submitted that these matters have been tagged together as both are arising out of similar issue.

For non filing of proof of service on caveator in both matters, the matter was listed before the Hon'ble Judge in Chambers on 13.02.2017, when His Lordship was pleased to pass the following Order:-

"Learned counsel for the petitioner states that within a period of one week from today, affidavit of service in respect of the Caveators shall be filed in the Registry.

One week's time is granted to learned counsel for the petitioner for the same."

It is submitted that counsel for the petitioner has on 13.02.2017 and 16.02.2017 filed proof of service on the caveator.

The matters alongwith applications above mentioned are listed before the Hon'ble Court with this office report.

DATED THIS THE 21st DAY OF FEBRUARY, 2017.

ASSISTANT REGISTRAR

Copy to :

Ms. Garima Prasad, Adv.

Mr. Yashraj Singh, Adv.

Ms. Jasmine Damkewala, Adv.

ASSISTANT REGISTRAR

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