

Listed On: 19.08.2015
Before Court No.
Item No.

SECTION:XIV

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL Nos.6575/2012 & 6412/2014

AND

INTERLOCUTORY APPLICATION NO. 3

(Application for directions in C.A. No. 6575/2012)

AND

PETITIONS FOR SPECIAL LEAVE TO APPEL (C) Nos. 26024, 32344/2013
& 10848/2014

WITH

PRAYER FOR INTERIM RELIEF

AND

INTERLOCUTORY APPLICATION NO. 2

(Application for exemption from filing certified copy of
impugned order in SLP (C) No. 26024/2013)

UNION OF INDIA & ANR etc.

...APPELLANTS/PETITIONERS

Versus

R.K.SAREEN etc.

...RESPONDENTS

OFFICE REPORT

CIVIL APPEAL NO. 6575/2012

It is submitted that there is sole respondent in this appeal. Service of notice of lodgment of petition of appeal is complete on the sole respondent and is represented by Mrs. Rani Chhabra, Advocate.

It is further submitted that for non filing of statement of case by the counsel for the parties, office report on default was listed before the Hon'ble Judge in Chambers on 08.08.2014, when His Lordship was pleased to pass the following order:-

"Perused office report dated 26.5.2014.

Both the parties have not filed their statement of case so far.

In view of the amendments made in the Supreme Court Rules which are going to take effect from 19th August, 2014, it is not necessary for the parties to file their respective statement of case and the same is dispensed with.

List the matter before the Court."

...2/-

...2...

It is further submitted that I.A. No. 3 (Application for directions) filed by counsel for the respondent was listed before the Hon'ble Court on 22.11.2013, when the Court was pleased to pass the following order:-

***"Expedite hearing of the appeal.
List I.A.No.3 along with the main
matter."***

Service is complete.

CIVIL APPEAL NO. 6412/2014

It is submitted that leave was granted in this matter vide this Courts order dated 07.07.2014.

It is further submitted that notice of lodgment of petition of appeal was issued to the sole respondent on 30.07.2014 through High Court.

It is further submitted that letter dated 28.08.2014 has been received from High Court stating that notice of lodgment of petition of appeal could not be served on the sole respondent as he was not available at the given address and some other person is the present occupant of the bungalow.

It is further submitted that for non completion of service on the sole respondent the matter was listed before the Court of Ld. Registrar on 01.04.2015 and again on 13.07.2015, when the Court was pleased to pass the following order:-

***"Service of the sole respondent through
the High Court concerned is still awaited.
Let a fresh reminder be issued.
List again on 01.09.2015."***

As directed above a fresh reminder has been issued to the High Court on 22.07.2015 by registered AD but service report in respect of the sole respondent is still awaited.

Service is not complete on the sole respondent.

SLP (C) NO. 26024/2013

The matter above mentioned was listed before the Hon'ble Court on 12.08.2013, when the Court was pleased to pass the following order:-

...3/-

...3...

"Delay condoned.

Issue notice.

*Tag with Civil Appeal Nos.6394-95
of 2012 and other connected matters.*

*In the meantime, there shall be
interim stay of the impugned order of the
High Court."*

It is submitted that pursuant to aforesaid order and after condoning the delay in filing process fee and spare copies vide order dated 30.09.2013 of Hon'ble Judge in Chamber, show cause notice to sole respondent was issued on 21.10.2013 by registered AD. Mrs. Rekha Palli, Advocate has filed Vakalatnama/Appearance as well as Counter Affidavit on behalf of the respondent and Counter Affidavit has been included in SLP Paper Books.

It is further submitted that since Mrs. Rekha Palli, advocated has been designated as senior advocate, notice for alternative arrangement has been issued to the sole respondent by regd. A.D. Service of said notice is awaited.

SLP (C) NO. 32344/2013

The I.A. No. 3 (Application for Vacating Stay) in the matter above mentioned was listed before Hon'ble Court on 01.08.2014, when the Court was pleased to pass the following order:-

***"Heard learned counsel for the applicant.
We find no merit in the application
and the same is accordingly dismissed."***

It is submitted that sole respondent in this SLP is represented by Mr. Ajit Sharma, Advocate and Counter Affidavit filed by him has been included in SLP Paper Books.

Service is complete.

SLP (C) NO. 10848/2014

The matter above mentioned was listed before the Hon'ble Court on 17.04.2014, when the Court was pleased to pass the following order:-

...4/-

...4...

**"Delay condoned.
Issue notice for final hearing.
In the meanwhile, operation of the
impugned judgment shall remain stayed.
Tag with SLP (C) Nos.
34343-34344/2011."**

It is submitted that show cause notice was issued on 22.05.2014 through registered AD post. Mr. Santosh Singh Advocate has filed Vakalatnama/Appearance on behalf of sole respondent but he has not filed Counter Affidavit so far.

Service is complete.

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

DATED THIS THE 18th DAY OF AUGUST, 2015.

ASSISTANT REGISTRAR.

Copy to:

1. Mr. Shreekant N. Terdal, Advocate.
2. Mrs. Rani Chhabra, Advocate.
3. Mr. B.K. Prasad, Advocate.

ASSISTANT REGISTRAR.

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