

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

BEFORE THE REGISTRAR M K HANJURA

Petition(s) for Special Leave to Appeal (C) No(s). 24224/2010
GRAM PANCHAYAT OF VIL.KUM-KALAN Petitioner(s)
VERSUS
STATE OF PUNJAB & ORS. Respondent(s)

- WITH
SLP(C) No. 24739/2010
SLP(C) No. 25614/2010
SLP(C) No. 26787/2010
SLP(C) No. 26806/2010
SLP(C) No. 26918/2010
SLP(C) No. 26920/2010
SLP(C) No. 26921/2010
SLP(C) No. 27490/2010
SLP(C) No. 29291/2010
SLP(C) No. 35087/2010
SLP(C) No. 1059/2011
SLP(C) No. 11213/2011
SLP(C) No. 11510/2011
SLP(C) No. 11831/2011
SLP(C) No. 13653/2011
SLP(C) No. 25383-25384/2011
SLP(C) No. 30979/2011
SLP(C) No. 34114/2011
SLP(C) No. 4128-4129/2012
SLP(C) No. 4915/2012
SLP(C) No. 6473/2012
SLP(C) No. 6505/2012
SLP(C) No. 6533/2012
SLP(C) No. 8111/2013
(With Office Report)

Date : 08/10/2014 This petition was called on for hearing today.

For Petitioner(s)
Signature Not Verified

Mr. Balbir Singh Gupta,Adv.

Digitally signed by
Sushma Kumari Bajaj
Date: 2014.10.10
16:08:23 IST

Reason: Mr. Vineet Bhagat,Adv.
Mr. Subramonium Prasad,Adv.
Mr. Rajinder Mathur,Adv.
Dr. Kailash Chand,Adv.

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- Mr.Dinesh Verma,adv.
Dr. (mrs.) Vipin Gupta,Adv.
Mr. Bharat Bhushan,Adv.
Mr.Akshat Goel,adv.
Mr. Shree Pal Singh,Adv.
Mr. Satyendra Kumar,Adv.

Mr. Karan Kapoor,adv.
Mr. A. S. Pundir,Adv.
Mr. Rahul Gupta,Adv.
Ms. Jyoti Mendiratta,Adv.
Mr. K. S. Rana,Adv.
Mr. Abhay Gupta,adv.
Mr. Ankur Mittal,Adv.
Mr. Jasbir Singh Malik,adv.
Mr. S. K. Sabharwal,Adv.

For Respondent(s)

Mr. Devanshu Kumar,adv.
Ms. Jyoti Mendiratta,Adv.
Mr. Ram Ekbal Roy,adv.
Mr. M. P. Jha,Adv.
Ms. Kaveeta Wadia,Adv.
Mr. Naveen Kr. Chauhan,adv.
Mr. Praveen Swarup,Adv.
Mr. Shivendra Dwivedi,adv.
Ms. Nupur Choudhary,adv.
Mr. Kamal Mohan Gupta,Adv.
Ms. Bharti Gupta,adv.
Mr. P. N. Gupta,Adv.
Mr. Gagan Gupta,Adv.
Mr. Abhay Kumar,Adv.
Mr. Abhijat P. Medh,Adv.
Mr. K.K. Mahalik,adv.
Mr. Kuldip Singh,adv.
Mr. Atul Kumar,adv.
Mr. S.K. Verma,adv.
Ms. Gunwant Dara,adv.
Ms. Sushma Suri,adv.
Mr. Vishal Gupta,adv.
Dr. Vipin Gupta,adv.
Mr. M.K. Ghosh,adv.
Ms. S. Janani,adv.
Mr. Himanshu Gupta,adv.
Mr. A.K. Tandale,adv.

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

ITEM NO.5

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SLP(C) No. 24224/2010

The office report states that the service of notice is complete on the respondent Nos.1 to 7 and 12 to 14 but no one has entered appearance on their behalf.

What gets revealed from the perusal of the file is that although two opportunities have already been given to the respondent Nos. 8 to 11 and 15 to 19 for filing the counter affidavit, yet they have not done the needful so far. Therefore no further opportunity is warranted to be given to them on that count taking into consideration the rule position. Viewed thus, the matter shall be processed for listing before the Hon'ble Court as and when the connected ones get ready.

SLP(C) No. 24739/2010

The office report states that the service of notice is complete on the respondent Nos.1,2, 9 and 13 but no one has entered

appearance on their behalf.

What gets revealed from the perusal of the file is that although two opportunities have already been given to the respondent Nos. 5 to 8 and 10 to file the counter affidavit, yet they have not done the needful so far. Therefore no further opportunity is warranted to be given to them on that count taking into consideration the rule position.

Await the return of the service of notice already issued to the respondent Nos. 3,4, 11 and 12.

SLP(C) No. 25614/2010

The office report indicates that the I.A. filed by Mr. M.P. Jha, learned counsel is defective. Learned counsel shall rectify the defects whatever have been found in the said I.As.within a period of four weeks.

Fresh steps for the service of notice to the unserved respondent No. 3 shall be taken by the learned counsel for the petitioners within a period of four weeks.

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SLP(C) No. 26787/2010

What gets revealed from the perusal of the file is that although two opportunities have already been given to the respondent No. 1 for filing the counter affidavit, yet he has not done the needful so far. Therefore no further opportunity is warranted to be given to him on that count taking into consideration the rule position.

The office report is that the service of notice is complete on the respondent Nos. 7 to 18 and 20 to 23 but no one has entered appearance on their behalf. These respondents shall be at liberty to file the counter affidavit within a period of four weeks, in case they intend to do so, whereafter no further extension shall be provided.

Issue notice of alternative arrangement to the Respondent Nos. 2 to 5 with utmost dispatch.

The office report further is that Mr. Praveen Swaroop and Mr. Rajendra Mathur, learned counsel have filed applications for substitution of the lrs. of the deceased respondent Nos. 6 and 19 respectively which are defective. The learned counsel are directed to rectify the defects in these applications within a period of four weeks, as last chance.

SLP(C) No. 27490/2010

Four weeks time, as last chance is given to the learned counsel for the respondent Nos. 1 and 2 to file the counter affidavit. Service of notice is complete on the respondent No.5 but no one has entered appearance on his behalf. The said respondent shall also be at liberty to file the counter affidavit within the period stipulated above, in case he intends to do so.

Fresh steps for the service of notice to the unserved respondent Nos. 3 and 4 shall be taken by the learned counsel for the petitioners within a period of three weeks.

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SLP(C) No. 26806/2010

Four weeks time, as last chance is given to the learned counsel for the respondent Nos. 1 and 6 to file the counter affidavit. Service of notice is complete on the respondent No.7 but no one has entered appearance on his behalf. The said respondent shall also be at liberty to file the counter affidavit within the period stipulated above, in case he intends to do so.

The office report indicates that the application f or substitution of the lrs. of the deceased respondent No. 8 i s defective. The learned counsel shall rectify the defects found in the said application within a period of four weeks whereafter no further extension shall be provided.

Issue notice of alternative arrangement to the Respondent Nos. 2 to 5 with utmost dispatch.

SLP(C) No. 26918/2010

Four weeks time, as last chance is given to the learned counsel for the respondent Nos. 1 and 6 to file the counter affidavit.

Issue notice of alternative arrangement to the Respondent Nos. 2 to 5 with utmost dispatch.

SLP(C) No. 26920/2010

Four weeks time, as last chance is given to the learned counsel for the respondent Nos. 1 and 6 to file the counter affidavit. Service of notice is complete on the respondent Nos.7 to 12 & 14, but no one has entered appearance on their behalf. These respondents shall also be at liberty to file the counter affidavit within the period stipulated above, in case they intend to do so.

The office report indicates that the application f or substitution of the lrs. of the deceased respondent No. 13 i s defective. The learned counsel shall rectify the defects found in the said application within a period of four weeks whereafter no further extension shall be provided.

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Issue notice of alternative arrangement to the Respondent Nos. 2 to 5 with utmost dispatch.

SLP(C) No. 26921/2010

Office shall submit a detailed report in the matter on the next date.

SLP(C) No. 29291/2010

What gets revealed from the perusal of the file is tha t although two opportunities have already been given to t he respondent Nos. 1 and 6 for filing the counter affidavit, yet they have not done the needful so far. Therefore no further opportunity is warranted to be given to them on that count taking int o consideration the rule position.

The office report further is that the counter affidavit filed by the respondent Nos. 2 to 5 is defective. The learned counsel

shall cure the defects found in the said counter affidavit within a period of four weeks, as last chance.

SLP(C) No. 1059/2011

Four weeks time as last chance is given to the respondent Nos.2-3,6,7 & 11 to file the counter affidavit.

Fresh steps for the service of notice to the unserved respondent Nos.1 & 13 shall be taken by the Ld.counsel for the petitioners within a period of three weeks whereafter no further extension shall be provided.

The office report states that although two opportunities have already been given to the Ld.counsel for the petitioner to file the application for substitution to bring on record the Lrs. Of the deceased respondent Nos.4,5,8,9,,10 & 12, yet he has not done the needful so far. Viewed in that context, the matter shall be processed for listing before the Hon'ble Judge in Chambers for further future directions. Await orders and list thereafter.

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SLP(C) No. 35087/2010

The office report states that although two opportunities have already been given to the Ld.counsel for the petitioner to file the affidavit in proof of dasti service of notice issued to the respondent No.1, yet he has not done the needful so far. Viewed in that context, the matter shall be processed for listing before the Hon'ble Judge in Chambers for further future directions. Await orders and list thereafter.

SLP(C) No. 11213/2011

Four weeks time as last chance is given to the Contemnor/respondents to file the counter affidavit.

SLP(C) No. 11831/2011

The office report indicates that the respondent No.4 has already filed the counter affidavit. Service of notice is complete on the respondent Nos. 1 to 3, but no one has entered appearance on their behalf. Viewed thus, the matter shall be processed for listing before the Hon'ble Court as and when the connected ones get ready.

SLP(C) No. 13653/2011

The office report states that the counter affidavit filed by the respondent No.1 is defective. The learned counsel shall rectify the defects whatever have been found in the said counter affidavit within a period of four weeks, as last chance.

The other served respondents shall be at liberty to file the counter affidavit within a period of four weeks, in case they intend to do so, whereafter no further extension shall be provided.

The office report further is that although two opportunities have already been given to the Ld.counsel for the petitioner to take fresh steps for the service of notice to the unserved

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respondent No.3, yet he has not done the needful so far. Viewed in that context, the matter shall be processed for listing before the Hon'ble Judge in Chambers for further future directions. Await orders and list thereafter.

SLP(C) No. 11510/2011

What gets revealed from the perusal of the file is that although two opportunities have already been given to the respondent Nos.2-7 & 9 to file the counter affidavit, yet they have not done the needful so far. Therefore, no further opportunity is warranted to be given to them on that count taking into consideration the rule position.

The office report is that I.A. for substitution of the lrs. of the deceased respondent No.1 is defective. Ld.counsel shall rectify the defects within a period of three weeks, whereafter no further extension shall be provided.

Fresh steps for the service of notice to the unserved respondent Nos.8 & 10 shall be taken by the Ld.counsel for the petitioner within a period of three weeks.

SLP(C) No. 25383-25384/2011

The office report indicates that the respondent Nos.1-4 have already filed the counter affidavit.

The office report further is that although by order dated 24.07.2014 of this Court, three weeks time as last chance was given to the Ld. counsel for the petitioner to file the affidavit in proof of dasti service of notice issued to the respondent No.5, yet he has not done the needful so far. Viewed in that context, the matter shall be processed for listing before the Hon'ble Judge in Chambers for further future directions. Await orders and list thereafter.

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SLP(C) No. 30979/2011

What gets revealed from the perusal of the file is that although two opportunities have already been given to the respondent Nos.3-5 & 9-11 to file the counter affidavit, yet they have not done the needful so far. Therefore, no further opportunity is warranted to be given to them on that count taking into consideration the rule position. Service of notice is complete on the respondent No.8, but no one has entered appearance on his behalf. The said respondent shall be at liberty to file the counter affidavit within a period of four weeks, in case they intend to do so, whereafter no further extension shall be provided.

Three weeks time as last chance is given to the Ld.counsel for the petitioners to take fresh steps for the service of notice to the unserved respondent Nos.1,2,6 & 7.

SLP(C) No. 34114/2011

Ld.counsel for the respondent Nos.1-8 shall file the counter affidavit within a period of four weeks, whereafter no further extension shall be provided.

SLP(C) No. 4915/2012

The office report indicates that although two opportunities have already been given to the respondent Nos.15 & 16 to file the

counter affidavit, yet they have not done the needful so far. Therefore, no further opportunity is warranted to be given to them on that count taking into consideration the rule position. The other served respondents shall be at liberty to file the counter affidavit within a period of four weeks, in case they intend to do so, whereafter no further extension shall be provided.

The office report further is that the application for substitution to bring on record the Lrs. Of the deceased respondent No.9 is defective. Three weeks time as last chance is given to the Ld.counsel for the petitioner to cure the defects whatever have been found in the said application.

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Three weeks time as last chance is given to the Ld.counsel for the petitioners to take fresh steps for the service of notice to the unserved respondent Nos.3,6,7,8,10, 12, 17 & 19-22.

SLP(C) No. 6473/2012

Mr.Kamal Mohan Gupta Ld.counsel shall file the vakalatnama on behalf of the respondent No.3 failing which the counter affidavit filed by him on behalf of the said respondent shall be taken off the record. Service of notice is complete on the respondent No.1, but no one has entered appearance on his behalf. The said respondent shall be at liberty to file the counter affidavit within a period of four weeks, in case he intends to do so, whereafter no further extension shall be provided.

SLP(C) No. 6505/2012

The office report indicates that the respondent No.1 has already filed the counter affidavit.

Three weeks time as last chance is given to the Ld.counsel for the petitioners to take fresh steps for the service of notice to the unserved respondent Nos.2-4.

SLP(C) No. 6533/2012

Mr.Kamal Mohan Gupta Ld.counsel shall file the vakalatnama on behalf of the respondent No.5 failing which the counter affidavit filed by him on behalf of the said respondent shall be taken off the record. Service of notice is complete on the respondent Nos.1-3, but no one has entered appearance on their behalf. These respondents shall be at liberty to file the counter affidavit within a period of four weeks, in case they intend to do so, whereafter no further extension shall be provided.

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SLP(C) No. 4128-4129/2012

The office report indicates that the respondent Nos.1-4 have already filed the counter affidavit.

Three weeks time as last chance is given to the Ld.counsel for the petitioners to take fresh steps for the service of notice to the unserved respondent No.5.

SLP(C) No. 8111/2013

Four weeks time as last chance is given to the respondent No.4 to file the counter affidavit. Service of notice is complete on the respondent Nos. 1 & 2, but no one has entered appearance on their

behalf. These respondents shall also be at liberty to file the counter affidavit within the period provided above.

Fresh steps for the service of notice to the unserved respondent Nos.3,5 & 6 shall be taken by the Ld.counsel for the petitioners within a period of three weeks.

List again on 16.12.2014.

(M K HANJURA)
Registrar

SB