

SECTION IV B

Ch. Matter.

Listed on

Court No.

IN THE SUPREME COURT OF INDIA Item No.

CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL)NO. 4915 OF 2012

WITH PRAYER FOR INTERIM RELIEF

WITH

INTERLOCUTORY APPLICATION NOS.3-4

(Application for impleadment as Party Respondent)

Gram Panchayat VillagePetitioner(s)

Versus

State of Haryana & Ors.Respondent(s)

OFFICE REPORT ON DEFAULT

The matter above mentioned was listed before the Hon'ble Court on 21.2.2012 when the Court was pleased to pass the following order :-

"Issue notice.
Status-quo prevailing as on date
shall be maintained.
Tag with SLP (C) No. 24224 of
2010."

Accordingly show cause notice by Registered A.D. Post was issued on 28.3.2012.

Thereafter Mr. B.Y. Kulkarni, Advocate has filed two separate applications on behalf of six applicants to implead as party respondents with Vakalatnama and Memo of Appearance and said applications (IA Nos. 3 and 4) were listed before the Hon'ble Court(In Chamber) on 7.11.2012 when the court was pleased to pass the following order:

" Issue notice in the I.As returnable
after four weeks."

Accordingly, show cause notice by Registered A.D. Post was issued to the petitioner through counsel all 22 respondents on 28.1.2013.

It is submitted that there are total 22

respondents in the instant matter. Mr. Kamal Mohan Gupta, Advocate has filed Vakalatnama and Memo of Appearance on behalf of respondent nos. 1 & 2 and he has filed Counter Affidavit on behalf of respondent no. 1 only. Mr. Anil Kumar Tandale advocate has filed Vakalatnama & memo of Appearance and Counter Affidavit on behalf of respondent Nos. 4 and 5. Mr. A.P Medh Advocate has filed Vakalatnama and Memo of Appearance on behalf of respondent nos. 13 and 14 and has filed Counter Affidavit on behalf of respondent no. 13 only. Mr. Balbir Singh Gupta, Advocate has filed Vakalatnama and Memo of Appearance on behalf of respondent nos. 15 and 16 but no Counter Affidavit has been filed so far. A.D. cards duly signed have been received from Respondent Nos. 6,8,11,12,17 and 18 but no one has entered appearance on their behalf so far. Neither A.D. Cards nor unserved cover containing notice have been received from the Respondent Nos. 7,10 and 19-22 so far. Respondent no. 9 has expired. Service not being complete in SLP as well as application and the matter above mentioned from time to time was listed before the Ld. Registrar court and it was lastly listed before the Ld. Registrar Court on 27.1.2016 and inter alia pass the following order:

" SLP(C) No. 4915 OF 2012

Ld. Counsel for the petitioner has failed to comply the order dated 6.11.2015 of this Court despite opportunities given. Therefore, the matter shall be processed for listing before the Hon'ble Judge in Chambers for further future directions. Await orders and list thereafter."

It is submitted that counsel for the petitioner and counsel for impleaded respondent has not taken any fresh steps in respect of unserved respondents Nos. 7,10 and 19-22 so far.

It is further submitted that counsel for the

petitioner has not cured the defects in the application for substitution of deceased of respondent no. 9 which was filed on 23.7.2013 so far. Counsel for the petitioner has not filed Application for condonation of delay in filing substitution application and setting aside abatement, age of Lrs. has not been mentioned, application for exemption O.T of death certificate is unsigned.

The office report on default is listed before the Hon'ble Court(In Chamber).

Dated this the 30th day of March, 2016.

ASSISTANT REGISTRAR

Copy to :- Mr. Anupam Lal Das, Advocate.
Ms. Manjeet Chawla, Advocate.
Mr. B.Y Kulkarni, Advocate.

ASSISTANT REGISTRAR

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