

LISTED ON: 19.01.2015  
BEFORE COURT NO. 4  
ITEM NO. 39

SECTION: XIV  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NOS. 16106/2012 & 12346/2013

GAON SABHA & ANR. ...PETITIONERS  
VERSUS  
INDU KHURANA & ANR. ...RESPONDENTS

OFFICE REPORT

SLP(C) NO. 16106/2012

The matter above mentioned was listed before the Hon'ble Court on 04.05.2012 when the following Order was passed:-

"I.A. No.2 of 2012 is allowed and leave is granted to the special leave petitioners to implead the Delhi Development Authority through its Vice Chairman as party to the proceedings of the special leave petition.

The amended cause title be filed within seven days from today.

Delay condoned.

Issue notice to the respondents including the impleaded respondent. Dasti, in addition, is permitted."

It is submitted that in view of aforesaid order, show cause notice to both the respondents was issued on 03.06.2012 by regd. A.D.. Respondent No. 1 is represented by Mr. Naresh Bakshi, Advocate and has on 11.11.2014 filed counter affidavit and the same has been included in SLP paper books. M/s. Saharya & Co., Advocate has filed vakalatnama/appearance on behalf of respondent No. 2 but has not filed counter affidavit so far.

SLP(C) NO. 12346/2013

The matter above mentioned was listed before the Hon'ble Court on 10.04.2013 when the following Order was passed:-

"Issue notice to the respondents.

Dasti, in addition, is permitted.

In the meantime, there shall be stay of the operation of the impugned judgment.

Tag with SLP(C).../2011 (CC 6881/2011)."

It is submitted that pursuant to aforesaid order, show cause notice to respondent Nos. 1 to 5 was issued on 28.09.2013 by regd. A.D. as well as Dasti mode. Mr. C. S. Ashri, Advocate has filed vakalatnama/appearance on behalf of respondent Nos. 1 to 3 and counter affidavit on behalf of respondent No. 1. Counter affidavit has been included in SLP paper books. Mr. D. S. Mahra, Advocate has filed vakalatnama/appearance on behalf of respondent No. 4 but has not filed counter affidavit so far. No one has entered appearance on behalf of respondent No. 5 though served with notice.

For non-filing of counter affidavit by counsel appearing for respondent No. 2 in SLP(C) No. 16106/2012 and non-filing of counter affidavit by counsel appearing for respondent No. 4 and non-appearance of respondent No. 5 in SLP(C) No. 12346/2013, the matters were listed before the Court of Ld. Registrar from time to time and lastly listed on 13.11.2014 when the following Order was passed:-

**"SLP(C) No. 16106/2012**

**The learned counsel for the respondent No.1 shall with a weeks time provide the the copy of the counter affidavit filed by him to the learned counsel for the respondent No.2**

**The learned counsel for the respondent No.2 has already on 6.5.2014 stated that he does not need to file the counter affidavit. Viewed thus, the matter shall be processed for listing before the Hon'ble Court under the rules.**

**SLP(C) No. 12346/2013**

**Respondent No.1 has already filed the counter affidavit.**

**The learned counsel for the respondent Nos. 2 and 3 has stated that he does not need to file the counter affidavit. This is taken on record.**

**Service of notice is complete on the respondent No.5 but no one has entered appearance on his behalf.**

**The Office Report is that although by Order dated 27.8.2014 of this Court four weeks time as last chance was given to the learned counsel for the respondent No.4 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**

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consideration the rule position. Viewed, in that context, the matter shall be processed for listing before the Hon'ble Court, under the rules."

Service is complete in both the SLPs.

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

DATED THIS THE 17<sup>th</sup> DAY OF JANUARY, 2015.

**ASSISTANT REGISTRAR**

COPY TO:

1. Mrs. Anil Katiyar, Adv. Ch. No.
2. M/s Saharya & Co., Adv. Ch. No.
3. Ms. Naresh Bakshi, Adv. Ch. No.
4. Mr. R.C. Kaushik, Adv. Ch. No.
5. Mr. D.S. Mahra, Adv. Ch. No.

**ASSISTANT REGISTRAR**

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