

LISTED ON: 23.02.2017

Before Court No. 3

Item No. 37

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

PETITIONS FOR SPECIAL LEAVE TO APPEAL (C) Nos. 16175/2013 AND
11777/2014
WITH
PRAYER FOR INTERIM RELIEF

UNION OF INDIA . . . PETITIONER
VERSUS
M/S. ROAD CARRYING CORP. ETC. . . RESPONDENTS

OFFICE REPORT

SLP (C) NO. 16175/2013

The matter above mentioned was listed before the Hon'ble Court on 22.04.2013, when the Court was pleased to pass the following Order :-

**"Delay condoned.
Application seeking exemption from filing
official translation is allowed.
Issue notice."**

It is submitted that pursuant to aforesaid order and order dated 31.03.2014 of Hon'ble Judge in Chambers, show cause notice was issued to the sole respondent on 04.04.2014 by registered A.D. On the demise of sole proprietor of respondent No. 1, legal representatives of deceased respondent No. 1 have been brought on record vide order dated 26.10.2015 of Hon'ble Judge in Chambers, accordingly cause title has been amended and included in SLP paper books. Mr. R.D. Updhayay, Advocate has filed vakalatnama/appearance as well as counter affidavit on behalf of all 4 Lrs. Of deceased respondent no. 1 and counter affidavit have been included in SLP paper books.

Service is complete.

SLP (C) NO. 11777/2014

The matter above mentioned was listed before the Hon'ble Court on 25.04.2014, when the Court was pleased to pass the following Order :-

**"Delay condoned.
Issue notice.
Tag with SLP (Civil) No. 16175 of 2013 arising
out of SLP CC No. 8618 of 2013.
There will be interim stay of the arbitration
proceedings."**

It is submitted that pursuant to aforesaid order, show cause notice was issued to the sole respondent on 21.05.2014 by registered A.D. Neither A.D. Card nor unserved cover containing notice has been received. Application for substituted service by way of publication of notice in respect of unserved sole respondent was allowed vide Order dated 12.01.2015 of Ld. Registrar (J-II). Counsel for the petitioner has on 19.05.2015 filed affidavit with proof of publication of notice but no one has entered appearance so far.

For non appearance of the sole respondent, the matter was lastly listed before the Court of Ld. Registrar on 26.08.2015, when the Court was pleased to pass the following Order :-

"The office report indicates that service of notice is complete on the sole respondent but no one has entered appearance on his behalf. Viewed, in that context, the matter shall be processed for listed before the Hon'ble court, under the rules."

Service is complete.

The matters above mentioned are listed before the Hon'ble Court with this Office Report.

DATED THIS THE 22nd DAY OF FEBRUARY, 2017.

ASSISTANT REGISTRAR

COPY TO:

Mr. G.S.Makker, Adv. Ch. No.

Mr. R. D. Upadhyay, Adv. Ch. No.

ASSISTANT REGISTRAR

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