

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

**INTERLOCUTORY APPLICATION NO.5-6 of 2017**

(Application for vacating stay)

IN

**PETITION FOR SPECIAL LEAVE TO APPEAL (C) NOS. 13699-13700 OF 2014**

(WITH PRAYER FOR INTERIM RELIEF)

WITH

**INTERLOCUTORY APPLICATION NOS. 3-4 of 2014**

(Application for exemption from filing official translation)

STATE OF UTTARAKHAND & ORS.

..PETITIONERS

-VERSUS-

RAM KISHORE VERMA & ANR.

..RESPONDENTS

**OFFICE-REPORT**

The matter above mentioned is listed before the Court on 09.05.2014, when the Court was pleased to pass the following Order:-

**"Permission to file special leave petitions is granted.**

**Delay condoned.**

**Issue notice.**

**Mr. Nikhil Jain, learned counsel accepts notice for the respondents.**

**Counter affidavit may be filed within four weeks from today.**

**Rejoinder affidavit, if any, may be filed within two weeks thereafter.**

**List the matters for final disposal in the month of September, 2014.**

**Until further orders, the implementation of the impugned order shall remain stayed."**

It is further submitted that pursuant to the afore-said order, show cause notice has been issued to common respondent no.1 through Mr. Nikhil Jain, Advocate and to common respondent no. 2 through Regd. A.D. on 19.05.2014. Mr. Nikhil Jain, Advocate has on 14.11.2014 filed counter affidavit on behalf of respondent no. 1 alongwith application for exemption from filing official translation and the same has been registered as I.A. Nos. 3-4 of 2014 and now Mr. Yadav Narender Singh, Advocate has on 07.02.2017 filed vakalatnama/appearance on behalf of respondent no. 1 after taking no objection from erstwhile advocate (Copy of counter affidavit and application has already been included in the paper books). Mr. A.K. Prasad, Advocate has on 12.11.2014 filed vakalatnama/appearance on

..2/-

behalf of respondent No. 2 and has on 15.05.2015 filed counter affidavit on behalf of said respondent and now Mr. Rajiv Yadav, Advocate has on 04.11.2015 filed memo of appearance on behalf of respondent no.2 (Copy of counter affidavit has already been included in the paper books).

It is further submitted that the matter above mentioned was listed before the Registrar Court from time to time and was lastly listed on 14.05.2015, when the following Order was passed:-

**"The office report is that the Ld. counsel for the respondent No. 1 has already filed the counter affidavit. The respondent No. 2 has failed to file the counter affidavit within the period stipulated under the rules. Viewed in that context, the matter, shall be processed for listing before the Hon'ble Court on its own turn."**

The matter above mentioned is listed before the Hon'ble Court on 21.09.2015, when the Hon'ble Court was pleased to pass the following Order:-

**"To be notified for final hearing on a Non-miscellaneous day in the month of February, 2016."**

It is submitted that counsel for the petitioner has on 30.10.2015 filed rejoinder affidavit with the permission of the Hon'ble Court (Copy of rejoinder affidavit has already been included in the paper books).

It is lastly submitted that counsel for the respondent no. 1 has on 23.02.2017 filed application for vacating stay and the same has been registered as I.A. 5-6 of 2017 (copy of the same has already been included in paper books).

Service of notice is complete.

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

Dated this the 20th day of March, 2017.

ASSISTANT REGISTRAR

Copy to:

Ms. Rachana Srivastava, Advocate  
Mr. Yadav Narender Singh, Advocate  
Mr. Rajiv Yadav, Advocate

ASSISTANT REGISTRAR