

SECTION XVI-A

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

LISTED ON: 23-02-2017
COURT NO.: 8
ITEM NO. : 46

TRANSFER PETITION (CIVIL) NO. 569 OF 2016

WITH

INTERLOCUTORY APPLICATION NO. 1 OF 2016

(Application for Ex-Parte stay)

AND

TRANSFER PETITION (CRL.) NOS. 159-160 OF 2016

WITH

CRIMINAL MISCELLANEOUS PETITION NO. 6172 OF 2016

(Application for Ex-Parte stay)

AND

TRANSFER PETITION (CIVIL) NOS. 564-567 OF 2016

WITH

INTERLOCUTORY APPLICATION NOS. 5-8 OF 2016

(Application for Ex-Parte stay)

BAJAJ AUTO LTD. & ORS.

....Petitioners

VERSUS

RAKESH KUMAR

....Respondent

AND

TRANSFER PETITION (CIVIL) NO. 647 OF 2016

WITH

INTERLOCUTORY APPLICATION NO. 1 F 2016

(Application for Ex-Parte stay)

BAJAJ AUTO LTD. & ORS.

....Petitioners

VERSUS

RAKESH KUMAR & Ors.

....Respondents

OFFICE REPORT

The Transfer Petitions above mentioned were listed before the Hon'ble Court on 25th April, 2016, when the Hon'ble Court was pleased to pass the following Order:-

"T.P.(C) No. 569/2016, T.P.(Crl.) Nos. 159-160/2016 and T.P.(C) No. 564-567/2016

As a last chance, two weeks' time is granted to the respondents to file reply.

Further proceedings in Revision Petition being CWJC No. 16458 of 2014 titled "Rakesh

Kumar vs. Bajaj Auto Ltd. & Ors., pending before the High Court of Judicature at Patna, Criminal Revision Application No. 158 of 2014 titled "Rakesh Kumar vs. State of Bihar" pending before the District and Sessions Judge at Begusarai, Complaint Case Registration No. 15121 of 2014 titled "Rakesh Kumar vs. Rahul Bajaj & Ors., pending before the Chief Judicial Magistrate, Begusarai and Miscellaneous Case No. 27 of 2013 titled "Rakesh Kumar vs. Bajaj Auto Ltd. & Ors., pending before the Vth Court of Sub-Judge, Begusarai, Contempt Case No. 121 of 2015 titled "Rakesh Kumar vs. Bajaj Auto Ltd. & Ors., pending before the District Judge, Begusarai, Miscellaneous Case No. 11 of 2015 titled "Rakesh Kumar vs. Bajaj Auto Ltd. & Ors., pending before the Sub-Judge, V, Begusarai and Civil Miscellaneous Appeal No. 7 of 2015 titled "Rakesh Kumar vs. Bajaj Auto Ltd & Ors., pending before the District Judge, Begusarai, shall remain stayed, until further orders.

List along with SLP(C) Nos.28005-28006 of 2015 in the third week of July, 2016."

TRANSFER PETITION (CIVIL) NO. 569 OF 2016

It is submitted that Mr. Abhay Kumar, Advocate has on 21-02-2017 filed Vakalatanama and Memo of appearance and Counter Affidavit on behalf of sole respondent after taking necessary permission from the Hon'ble Court and serving its copy on other side. Copy of the same is being circulated herewith for the kind perusal of the Hon'ble Court.

Service of show cause notice is complete.

TRANSFER PETITION (CRL.) NOS. 159-160 OF 2016

It is submitted that Mr. Gopal Singh, Advocate has on 13-01-2017 filed Vakalatanama and Memo of app on behalf of Respondent Nos. 2 in T.P. (Crl.) No. 159 of 2016 i.e. State of Bihar and Mr. Abhay Kumar, Advocate has on 21-02-2017 filed Vakalatanama and Memo of appearance on behalf of common Respondent No. 1 in T.P. (Crl.) No. 159-160 of 2016 alongwith Counter Affidavit after serving its copy on other side. Copy of the same has been included in the paper books.

Service of show cause notice is complete.

Contd....3/-

TRANSFER PETITION (CIVIL) NOS. 564-567 OF 2016

It is submitted that Mr. Abhay Kumar, Advocate has on 21-02-2017 filed Vakalatanama and Memo of appearance and Counter Affidavit on behalf of common sole respondent after taking necessary permission from the Hon'ble Court and serving its copy on other side. Copy of the same is being circulated herewith for the kind persual of the Hon'ble Court.

Service of show cause notice is complete.

TRANSFER PETITION (CIVIL) NO. 647 OF 2016

The Transfer Petitions above mentioned were listed before the Hon'ble Court on 25th April, 2016, when the Hon'ble Court was pleased to pass the following Order:-

“Application for exemption from filing O.T. is allowed.

Issue notice.

In th meantime, further proceedings in Title Suit No. 97 of 2016 tiled “Rakesh Kumar vs. Bajaj Auto Ltd. & Ors., pending before the 1st Court of Sub-Judge, Begusarai shall remain stayed.

Tag with SLP(C) Nos. 28005-28006 of 2015.”

Accordingly, Notices were issued to all the six respondents through Regd. A.D. Post on 25-05-2016.

It is submitted that neither A.D. Cards nor unserved cover containing the said notices have been received back from the sole respondent.

It is further submitted that Mr. Abhay Kumar, Advocate has on 21-02-2017 filed Vakalatanama and Memo of appearance and Counter Affidavit on behalf of respondent No. 1 after taking necessary permission from the Hon'ble Court and serving its copy on other side. Copy of the same is being circulated herewith for the kind persual of the Hon'ble Court.

Service of show cause notice is complete on Respondent No. 1 and not complete on Respondent Nos. 2 to 6.

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. E.C. Agrawala, Advocate
Mr. Abhay Kumar, Advocate for Respondent

ASSISTANT REGISTRAR