

SECTION XI
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Listed On : 18.11.2014
Court No. : 6
Item No. : 102

(Supplementary List)

CIVIL APPEAL NO. 4347-4375 OF 2014, 4376 OF 2014, SLP (C) Nos. 29390, 29885, 36455, 35964-65, 33395-402, 35547 & 37824 OF 2013.

WITH

INTERLOCUTORY APPLICATION NO. 61 IN C.A NO. 4375 OF 2014

(Application for Impleadment filed by Dr. Monika Gusain, Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 150-178 IN C.A NO. 4347-75 OF 2014

(Application for permission to file an I.A for Impleadment filed on 08.07.2014 by Mr. Rajeev Ranjan Dwivedi, Advocate)

AND

INTERLOCUTORY APPLICATION NO. IN C.A NO. 4347-75 OF 2014

(For Impleadment filed on 08.07.2014 by Mr. Rajeev Ranjan Dwivedi, Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 180 & 181 IN C.A NO. 4375 OF 2014

(Application for permission to file additional documents and exemption from filing Official Translation filed on 01.11.2014 by Dr. Monika Gusain, Advocate on behalf of Respondent No. 2 in C.A No. 4375 of 2014)

AND

INTERLOCUTORY APPLICATION NOS. 182 & 183 IN I.A NO. 61 IN C.A NO. 4375 OF 2014

(Application for permission to file additional documents and exemption from filing Official Translation filed on 01.11.2014 by Dr. Monika Gusain, Advocate on behalf of applicant in I.A No. 61 in C.A No. 4375 of 2014)

AND

INTERLOCUTORY APPLICATION NO. 184 IN C.A NO. 4367 OF 2014

(Application for directions filed by on 14.11.2014 by Mr. R.P.Goyal, Advocate on behalf of Respondent No. 2 in C.A No. 4367 of 2014)

WITH

INTERLOCUTORY APPLICATION No. 9 IN SLP (C) NO. 29390 OF 2013

(Application for impleadment as petitioner filed by petitioner)

AND

INTERLOCUTORY APPLICATION No. 10 IN SLP (C) NO. 29390 OF 2013

(Application for permission to raise additional grounds filed by Advocate for petitioner)

AND

INTERLOCUTORY APPLICATION No. 11 IN SLP (C) NO. 29390 OF 2013

(Application for intervention filed by Mukul Kumar, Advocate alongwith direction unregistered)

AND

INTERLOCUTORY APPLICATION No. 12 IN SLP (C) NO. 29390 OF 2013

(Application for directions filed by petitioner)

AND

INTERLOCUTORY APPLICATION No. 13 IN SLP (C) NO. 29390 OF 2013

(Application for direction)

STATE OF U.P. & ORS. ETC.

...APPELLANTS

VERSUS

SHIV KUMAR PATHAK & ORS. ETC

...RESPONDENTS

OFFICE REPORT

The interlocutory application nos. 61 and 150-178 in Civil Appeal Nos. 4347-75/2014 were listed before the Hon'ble Court on 10.09.2014, when the Court was pleased to pass the following order:

“As prayed for, three weeks' time is granted to file
reply to the Application for Impleadment. ”

It is submitted that reply to the application for impleadment has not been filed till date.

It is further submitted that Dr. Monika Gusain, Advocate has on 01.11.2014 filed additional documents on behalf of Respondent No. 2 in Civil Appeal No. 4375/2014 alongwith an I.A for permission to file additional documents and an I.A for exemption from filing official translation. These I.A's have been registered as I.A Nos. 180 and 181 respectively.

It is further submitted that Dr. Monika Gusain, Advocate has on 01.11.2014 filed additional documents on behalf of applicant in I.A No. 61 in Civil Appeal No. 4375/2014 alongwith an I.A for permission to file additional documents and an I.A for exemption from filing official translation. These I.A's have been registered as I.A Nos. 182 and 183 respectively.

It is further submitted that Mr. R.P Goyal, Advocate has on 14.11.2014 filed an I.A for directions on behalf of Respondent No. 2 in C.A No. 4367 of 2014. The same has been registered as I.A No. 184.

It is further submitted that all the respondents in these Civil Appeals stands served at Special Leave Petition stage.

It is further submitted that original Record is also available in C.A No. 4347-75/2014.

It is further submitted that statement of case has not been filed by any of the party till date.

SLP (C) No. 29390 OF 2013

The SLP above mentioned was listed before the Hon'ble Court on 09.09.2013 when the following order was passed:

“Permission to file special leave petitions are granted.
Delay condoned.
Issue notice on stay as well as on special leave petitions.”

Accordingly Show cause notice was issued to all the seven respondents through Registered A.D. Mr. M.R. Shamshad, Adv. has filed Vakalatnama with memo of appearance in respect of Respondent Nos. 1 to 4 but Counter Affidavit has not been filed so far.

It is submitted that Ms. Sushma Suri and Gopal Singh , Advocates have filed

vakalatnama with memo of appearance on behalf of Respondent Nos. 5 & 6 respectively but Counter affidavit has not been filed so far.

Service of Show cause notice is complete in respect of Respondent No. 7 by dasti service but no one has entered appearance so far.

It is further submitted that counsel for the petitioner has on 01.09.2014 filed an application for Directions. The said application is registered as Interlocutory Application No. 12.

It is submitted that Mr. Amit Pawan, Advocate has on 17.11.2014 filed an application for intervention. The said application is registered as Interlocutory Application No. 13 and the same is circulated to the Hon'ble Court.

SLP (C) No. 29885 OF 2013

Accordingly, show cause notice was issued to all the five respondents through registered Post A.D. Mr. Gopal Singh Advocate has filed Vakalatnama and memo of appearance on behalf of Respondent No. 4 but Counter affidavit has not been filed so far.

Service of show cause notice is complete in respect of Respondent Nos. 1 to 3 by way of dasti.

It is submitted that counsel for the petitioner has filed an application for deletion of Respondent No. 5 from array of parties. The said application is registered as I.A No. 21.

SLP (C) No. 36455 OF 2013

The matter above mentioned was listed before the Hon'ble Court on 25.11.2013, when the following order was passed:

“Permission to file special leave petition is granted.
Issue notice.
Liberty to serve the standing counsel.
Tag with SLP (c) No. 29390/2013.”

Accordingly, show cause notice was issued to all the seven respondents through registered Post A.D. Mr. M.R. Shamshad, Advocate has filed Vakalatnama and memo of appearance on behalf of Respondent Nos. 1-4 (State) but Counter affidavit has not been filed so far. Ms. Sushma Suri, Advocate has filed Vakalatnama and memo of appearance alongwith counter affidavit on behalf of Respondent No. 5 (Counter affidavit included in paper books)

It is submitted that Mr. Gopal Singh, Advocate has filed Vakalatnama and memo of appearance on behalf of Respondent No. 6 but counter affidavit not filed so far.

Service of show cause notice is complete in respect of Respondent No. 7 (common in SLP 29390/2013) by way of dasti.

SLP (C) No. 35964-65 OF 2013

The matter above mentioned was listed before the Hon'ble Court on 19.11.2013, when

the Court was pleased to pass the following order:

“Permission to file special leave petition is granted.

Delay condoned.

Issue notice.

Tag with SLP(C) No. 29390/2013 @ CC 15480/2013.

Prayer (a) & (b) made in the Application for deletion of the name of the proforma respondents is allowed.”

Accordingly, show cause notice was issued to all the five Respondents through registered A.D. Post. Proforma Respondent Nos. 6 to 32 in SLP (c) No. 35964/2013 and 5 to 22 in SLP (c) No. 35965/2013 have been deleted vide Court's order dated 19.11.2013. Accordingly cause title has been amended.

Service of show cause notice is awaited.

It is lastly submitted that in view of Hon'ble Court's order dated 07.02.2014 passed in SLP (c) No. 1874-1902/2014 the matters above mentioned are listed before the Hon'ble Court (copy of order dated 07.02.2014 is enclosed).

SLP (C) No. 35547 OF 2013

The matter above mentioned was listed before the Hon'ble Court on 06.01.2014, when the Court was pleased to pass the following order:

“Permission to file special leave petition is granted.

Delay condoned.

Issue notice.

Tag with SLP(C) No. 29390/2013 ”

Accordingly, show cause notice was issued to all the six respondents through registered A.D Post. Mr. S.M. Garg, Advocate has filed Vakalatnama and memo of appearance on behalf of Respondent No. 2 and 4 but counter affidavit not filed so far.

Service of show cause notice is awaited in respect of Respondent Nos. 1,3,5 and 6.

It is submitted that Ms. Abha R Sharma, Advocate has filed on 15.03.2014 filed an application for impleadment the said application I.A No. 2.

SLP (C) No. 37824 OF 2013

The matter above mentioned was listed before the Hon'ble Court on 09.12.2013, when the Court was pleased to pass the following order:

“Permission to file special leave petition is granted.

Delay condoned.

Issue notice. Dasti, in addition, is permitted.

Tag with SLP (c) No. 29390 of 2013. ”

Accordingly, show cause notice as well as dasti was issued to all the six

respondents.

Service of show cause notice is complete by way of dasti but no one has entered appearance so far.

SLP (C) No. 33395-402 OF 2013

The matter above mentioned was listed before the Hon'ble Court on 06.01.2014, when the Court was pleased to pass the following order:

“Permission to file special leave petition is granted.
Delay condoned.
Issue notice.

Tag with SLP(C) No. 29390/2013 ”

Accordingly, show cause notice was issued to all the 77 respondents.

Service of show cause notice is awaited.

It is submitted that I.A No. 12 (Application for directions) filed by counsel for the petitioner in SLP (C) No. 29390 of 2013 was listed before the Hon'ble Court on 22.09.2014, when the following order was passed:

“List I.A No. 12 of 2014 along with the main matter in 3rd week of November, 2014 on a non-miscellaneous day. ”

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

Dated this the 17th day of November, 2014.

ASSISTANT REGISTRAR

Copy to:

Mr. Satya Mitra Garg, Advocate
Mr. Amit Pawan, Advocate
Mrs. Abha R. Sharma, Advocate
Mr. Vishwa Pal Singh, Advocate
Mr. Y. P. Dhingra, Advocate
Mr. Rohit Singh, Advocate
Mr. R.P. Goyal, Advocate
Mr. M.P. Jha, Advocate
Ms. K. Sarada Devi, Advocate
Mr. Vivek Singh, Advocate
Mr. Manu Shankar Mishra, Advocate
Mr. Alok Gupta, Advocate
Dr. Monika Gosain, Advocate
Mr. Rajeev Ranjan Dwivedi, Advocate

ASSISTANT REGISTRAR