

**SECTION XVII**

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

**CIVIL APPEAL NOS.8875-8876 OF 2011, 1998, 3907, 4581, 3564, 4980, 4952 OF 2012, 4132, 4599 OF 2013, 5999, 4233, 1856, 3820 AND 1958-62 CAD NOS.7988,, 11461/2014, 37198/2013, 8592, 10923, 11123, 11124, 12397, 13033, 13749, 13754,14692, 15479, 17028, 17440, 17916, 17926, 19419, 19867, 19884, 24886, 6623 AND 10244 OF 2014 AND CIVIL APPEAL NO. 266 AND 1 OF 2015.**

WITH  
**INTERLOCUTORY APPLICATION NOS. 2 and 4-5**  
**APPLICATIONS FOR DIRECTION AND IMPLEADMENT**  
IN  
**(CIVIL APPEAL NO.1856 OF 2014)**

Union of India & Ors. etc. ....Appellants  
VERSUS  
Vinod Kumar Jain & Ors. etc. .... Respondents

**OFFICE REPORT**

**CIVIL APPEAL NOS. 8875-8876 OF 2011.**

It is submitted that the matter above mentioned was listed before the Hon'ble Court on 17<sup>th</sup> February, 2015 when the Court was pleased to pass the following order:

**"Post before a Bench in which one of us (Hon. Nariman, J.) is not a member.**

**List on Friday, the 20<sup>th</sup> February, 2015."**

It is submitted that all the respondents in both the matters are represented through Capt. Karan Singh Bhati, Advocate. The service of show cause notice in the matter is complete.

**CIVIL APPEAL NO. 1998 OF 2012.**

It is submitted that there are six respondents in the matter. Respondent Nos. 1, 3 to 6 are represented through Mr. Ashwani Bhardwaj, Advocate. The appeal against Respondent No.2 is dismissed vide court's order dt. 10.09.2013. The service of show cause notice in the matter is complete.

**CIVIL APPEAL NO. 3907 OF 2012.**

It is submitted that there are eight respondents in the matter. All the respondents have been served with show cause notice but no one has entered appearance so far. Service of show cause notice in the matter is complete.

**CIVIL APPEAL NO. 4581 OF 2012.**

It is submitted that there are fifteen respondents in the matter. All the respondents have been served with notice but no one has entered appearance so far. Service of show cause notice in the matter is complete.

**CIVIL APPEAL NO. 3564 OF 2012.**

It is submitted that there are five respondents in the matter. All the respondents are represented through Dr. Ashwani Bhardwaj, Advocate. Service of show cause notice in the matter is complete.

**CIVIL APPEAL NO. 4980 OF 2012.**

It is submitted that there are fifteen respondents in the matter. All the respondents have been served with notice but no one has entered appearance so far. Service of show cause notice in the matter is complete.

**CIVIL APPEAL NO. 4952 OF 2012.**

It is submitted that there are ten respondents in the matter. All the respondents except Respondent NO.7 have been served with notice but no one has entered appearance so far. Respondent No.7 is reported 'Dead' but no application for brought on record the legal heirs has been filed so far. Service of show cause notice in the matter is complete.

**CIVIL APPEAL NO. 4132 OF 2013.**

It is submitted that Show cause notice was issued to sole respondent on 08.05.2013. Neither A.D card nor unserved covered has been received back so far. The service of show cause notice is not complete.

**CIVIL APPEAL NO. 4599 OF 2013.**

It is submitted that there are six respondents in the matter. All the respondents have been served with notice but no one has entered appearance so far. Service of show cause notice in the matter is complete.

**CIVIL APPEAL NO. 5999 OF 2014.**

It is submitted that the counsel for the appellant has not filed the spare copies and the Process Fee. With the result, notice could not be issued so far.

**CIVIL APPEAL NO. 4233 OF 2014.**

It is submitted that the sole respondent in the matter is represented through Mr. A.K. Aggarwal, advocate. Service of show cause notice in the matter is complete. Mr. A.K. Aggarwal, Advocate, has on 10.09.2014 filed Counter Affidavit on behalf of respondent(copy of the same has been included in the appeal paper books).

Service of show cause notice is complete.

**CIVIL APPEAL NO. 1856 OF 2014.**

It is submitted that the sole respondent in the matter is represented through Mr. Robin Majumdar, advocate. Service of show cause notice in the matter is complete.

It is submitted that Mr. Robin Majumdar, Advocate has filed an application for direction on 29.08.2014 which is registered as I.A. No.2(copy of the same has been included in the appeal paper books).

It is submitted that Mr. A.K. Aggrawal, Advocate has filed an application for impleadment alongwith Vakalatnama on 10.09.2014 which is registered as I.A. No.4(copy of the same has been included in the appeal paper books).

It is submitted that Mr. A.K. Aggrawal, Advocate has filed an application for impleadment alongwith Vakalatnama on 21.11.2014 which is registered as I.A. No.4(copy of the same is being circulated herewith for kind perusal of the Hon'ble Court).

**CIVIL APPEAL NO. 3820 OF 2014.**

It is submitted that the matter above mentioned was listed before the Hon'ble Court on 07.03.2014 when the Court was pleased to pass the following order:

**"Delay condoned/**

**Issue notice.**

**Tag with Civil Appeal No.1856 of 2014.**

**Mr. R. Balasubramium, learned counsel for the petitioner submits that the Union of India will have no difficulty in releasing all such benefits as are admissible to the respondent in terms of its decision dated 7.12.2011. Subject to the release of such benefits in favour of the respondent within a period of three months, the execution proceedings pending before the Tribunal shall remain stayed."**

It is submitted that sole respondent in the matter is

represented through Mr. Avijit Bhattacharya, Advocate.

It is submitted that Avijit Bhattacharya, Advocate, has on 10.09.2014 filed Counter Affidavit on behalf of sole respondent (copy of the same has been included in the appeal paper books).

Service of show cause notice is complete.

**CIVIL APPEAL NOS. 1958-1962 OF 2014.**

It is submitted that the above matter was listed before Hon'ble Court on 10.02.2014 when the Court was pleased to pass the following orders:

"Heard.

Delay condoned.

Issue notice.

Tag along with C.A. No(s). 8875-8876 of 2011 (arising out of CAD No.26880 of 2011) and similar other matters.

Mr. Rakesh K. Khanna, learned Additional Solicitor General, Submits that the Government shall pay the differential amount of pension to the respondents with interest @ 10% per annum from the date of the order passed by the Tribunal till the actual payment to the respondents and all those similarly situate with them in case the order passed by the Tribunal is eventually upheld. That statement is recorded.

The implementation of the impugned order shall, in the light of the above statement, remain stayed pending further orders from this Court. "

Accordingly, show cause notice was issued on 10.03.2014 through registered A.D. post to all the respondents in the appeals as mentioned below:

Respondent No.1-6 in Civil Appeal 1958 of 2014

Respondent No.1-21 in Civil Appeal 1959 of 2014

Sole Respondent in Civil Appeal No.1960 of 2014

Respondent No.1-3 in Civil Appeal No.1961 of 2014

Respondent No.1-9 in Civil Appeal No.1962 of 2014

A.D. Cards duly signed have been received only from R-1, 16 and 17 in C/A 1959/14 and sole respondent in C/A No.1960/14. Neither A.D. cards nor unserved covers have been received from remaining respondents so far in all the matter mentioned above.

**CIVIL APPEAL D. NO. 7988 OF 2014.**

It is submitted that the above matter was listed before Hon'ble

Court on 14.08.2014 when the Court was pleased to pass the following orders:

**"Heared.**

**Issue notice in the application for leave to appeal as also in the application for condonation of delay.**

**Tag along with Civil Appeal Nos.8875-76 of 2011.**

It is submitted that the counsel for the appellant has not filed the spare copies and the Process Fee. With the result, notice could not be issued so far.

**CIVIL APPEAL D. NOS.11461/2014, 37198/2013, 8592, 10923, 11123, 11124, 12397, 13033, 13749, 13754, 14692, 15479, 17028, 17440, 17916, 17926, 19419, 19867, 19884, 24886 OF 2014.**

It is submitted that the above matter was listed before Hon'ble Court on 14.08.2014 when the Court was pleased to pass the following orders:

**"Heared.**

**Issue notice in the application for leave to appeal as also in the application for condonation of delay.**

**Tag along with Civil Appeal Nos.8875-76 of 2011."**

It is submitted that the counsel for the appellants have not filed the spare copies and the Process Fees. With the result, notice could not be issued in all the matters so far.

**CIVIL APPEAL NO.6623 OF 2014.**

The matter above mentioned was listed before Hon'ble Court on 25.10.2013 when the Court was pleased to pass the following orders:

**"Heard.**

**Delay condoned.**

**Issue notice in the application for leave to appeal.**

**Tag with C.A. Nos.8875-76 of 2011."**

Accordingly show cause notice was issued to all the five respondent through registered A.D. post on 23.11.2013. Mr. Praveen Jain, Advocate has entered appearance on behalf of respondents Nos.1, 2 and 4 but he has not filed counter affidavit so far. Unserved envelop has been received back in respect of respondent No.5 with the remarks 'no such person in this address'. Neither A.D. Card nor

unserved envelop containing notice has been received in respect of respondent No.3. Service is incomplete upon these respondent Nos.3 and 5.

It is submitted that Mr. Praveen Jain, Advocate has on 21.07.2014 filed Counter Affidavit and application for permission to file additional document along-with additional document on behalf of Respondent Nos.1, 2 and 4 which is registered as Interlocutory Applications No.4 copy of the same has been included in the appeal paper books).

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

**CIVIL APPEAL NO.10244 OF 2014.**

The matter above mentioned was listed before Hon'ble Court on 10.11.2014 when the Court was pleased to pass the following orders:

**"Heard.**

**Delay condoned.**

**Issue notice.**

**Counter affidavit be filed within four weeks. Rejoinder, if any, be filed within four weeks thereafter.**

**Mr. P.S. Narasimha, learned Additional Solicitor General, makes a statement that the Union of India will have no difficulty in releasing all such benefits as are admissible to the respondent in terms of the its decision dated 7.12.2011. Subject to the release of such benefits in favour of the respondent within a period of three month, if not already released, the execution proceedings pending before the Tribunal shall remain stayed.**

**Tag along with C.A. No.1856 of 2014."**

It is submitted that the counsel for the appellant has not filed the spare copies and the Process Fee. With the result, notice and formal order could not be issued so far.

**CIVIL APPEAL NO. 266 OF 2015.**

The matter above mentioned was listed before the Hon'ble Court on 06.01.2015 when the Court was pleased to pass the following order:-

**"Delay condoned.**

**Issue notice.**

**Tag with C.A. No. 1856 of 2014.**

**In the meantime, interim order dated 27<sup>th</sup>**

**September, 2013 passed by the Armed Forces Tribunal, Regional Bench Kochi shall remain stayed."**

It is submitted that the counsel for the appellant has not filed the spare copies and the Process Fee. With the result, notice could not be issued so far.

It is further submitted that this matter is tagged with Civil Appeal No. 1856 of 2014. (Main matter is Civil Appeal No. 8875-8876 of 2011)

Service of show cause notice is incomplete.

**CIVIL APPEAL NO. 1 OF 2015.**

The matter above mentioned was listed before the Hon'ble Court on 18.12.2014 when the Court was pleased to pass the following order:-

**"Issue notice in the application for condonation of delay as also in the application seeking leave to appeal.**

**Tag with C.A.D. No. 26880 of 2011."**

Accordingly show cause notice was issued to all the fourteen respondents through registered A.D. post on 09.01.2015.

It is submitted that certificate of service has been received in respect of all the respondents but nobody has entered appearance so far. Service of notice is complete.

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

DATED THIS THE 19TH DAY OF FEBRUARY, 2015.

ASSISTANT REGISTRAR

Copy to : Mr. B.V. Balram Das, Advocate  
Mr. Rabin Majumder, Advocate  
Mr. A.K. Aggarwal, Advocate  
Mr. Ashwani Bhardwaj, Advocate  
Capt. Karan Singh Bhati, Advocate  
Mr. Avijit Bhattacharya, Advocate  
Mr. Praveen Jain, Advocate

ASSISTANT REGISTRAR