

SECTION XVI

LISTED ON : 26.09.2016

COURT NO.: 1

ITEM NO. : 33

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (C) Nos. 12204-12205 & 22372 of  
2014  
(With prayer for interim -relief)

APOLLO GLENAGLES HOSPITALS LTD.

..PETITIONERS

VERSUS

DAVID MANTOSH & ORS.

..RESPONDENTS

OFFICE REPORT

The matters above-mentioned were listed before the Hon'ble Court on 22.08.2014 when the Court was pleased to pass the following order:-

*"Issue notice.*

*Ms. Madhumita Bhattacharjee, Adv. Accepts notice on behalf of State of West Bengal.*

*Mr. Ankolekar Gurudatta, Adv. Accepts notice on behalf of respondent Nos. 1 to 7 and seeks four weeks time to file counter affidavit. "*

Accordingly show cause notice for due course was issued to the respondents by registered AD post in both matters and service position is as under:-

**SLP(C)Nos. 12204-12205 & 22372/2014:-**

It is submitted that there are 10 common respondents in both the matter and Mr. Gurudatta Ankolekar, Advocate has filed caveat and vakalatnama and memo of appearance on behalf of respondent Nos. 1-2 and 4-7 and he has on 23.09.2015 filed counter affidavit though the opportunity to file counter affidavit has already been declined in both the matters vide Ld. Registrar's order dated 10.04.2015. Copies of the same have been included in the paper books. Ms. Madhumita Bhattacharjee, Advocate has filed vakalatnama and memo of appearance on behalf of respondent Nos. 9 and 10 in both the matters and does not want to file counter affidavit vide Ld. Registrar's Order dated 22.02.2016.

AD card duly signed has been received back from respondent No. 8 but no one has entered appearance, so far.

It is further submitted that Mr. Charles Mantosh, Respondent in person (i.e. R.No.3) has on 19.7.2014 filed application for permission to appear and argue in person after taking no objection certificate from Mr. Gurudatta Ankolekar, which was placed before the Ld. Registrar (J-II) for interaction on 17.8.2016 when the Ld. Registrar ordered that the respondent-in-person speaks fluent english and can render assistance for proper disposal of the case (copy of report dated 17.8.2016 is enclosed).

Service of notice is complete in both the matters.

It is lastly submitted that Mr. K.J John & Co., Advocates has on 23.9.2016 filed a letter dated 22.09.2016 stating therein that impugned judgment and final order dated 27.9.2013 in FA No.202/2008 with CAN NO.1054/2013 passed by the High Court of Calcutta which is impugned in SLP(C) NO.12204-12205 of 2014 has also been challenged in C.A Nos. 10629-10631 of 2014 titled competent authority Calcutta, Under Land (Ceiling & Regulatory) Act, 1976 & Anr. Vs. David Mantosh & Ors., wherein this Hon'ble Court has by order dated 28.11.2014 granted special leave petition to Appeal. Copy of letter alongwith order dated 28.11.2014 is enclosed.

In view of Ld. Registrar Court's Order dated 22.02.2016, the matters are listed before the Hon'ble Court with this Report.

Dated this the 23th day of September, 2016.

ASSISTANT REGISTRAR

Copy to:-M/s. K.J.John & Co., Advocate,  
Mr. Gurudatta Ankolekar, Advocate  
Ms. Madhumita Bhattacharjee, Advocate  
Mr. Charles Mantosh (Respondent-in-person)  
sv/or/14-15

ASSISTANT REGISTRAR