

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.1323-1344 of 2011
WITH
CIVIL APPEAL NOS.1359 OF 2011, 1456, 1461, 2621, 2738 & 3665 OF 2012 AND
5006 OF 2014
AND
SPECIAL LEAVE PETITION © 12004 OF 2014
AND
CIVIL APPEAL NOS.3087-3088 OF 2015

Union of India & Ors. etc.etc.

... Appellants

-Versus-

M/s Lifestyle International P. Ltd. & Ors.

.. Respondents

OFFICE REPORT

CIVIL APPEAL NO.1323-1344, 1359 OF 2011, 1456, 1461, 2621, 2738 & 3665 OF
2012 AND 5006 OF 2014 AND SLP © 12004 OF 2014

The office report dated 11th January 2016 was listed before Learned Registrar on 12th January when he was pleased to pass the following order:

“Civil Appeal No(s). 1323-1344/2011

Last opportunity of four weeks is granted for filing the fresh address for service of sole respondent in C.A Nos. 1326, 1334, 1338, 1329 of 2011, respondent Nos. 1 and 2 in C.A No.1335/2011 and both respondents in C.A No.1339/2011. Notices thereafter be issued.

C.A.NO.1359/2011

Last opportunity of four weeks is granted for taking steps for service of respondent nos. 5,10 and 12. Notices thereafter be issued.

C.A.NO.1456/2012

Spare copies be filed for respondent No.67 within two weeks time. Notice thereafter be issued.

Await certificate of service from the High Court in respect of respondent nos. 54 and 55 and opportunity of four weeks is granted for furnishing the fresh address for respondent nos. 9,17,18,51,60,41 and 42. Notices thereafter be issued.

Last opportunity of four weeks is granted for filing application for substitution of respondent no.57.

C.A.NO.1461/2012

Last opportunity of four weeks is granted for furnishing fresh complete address of respondent nos. 8,37 and 38 and filing application for substitution of respondent no.11. Notices thereafter be issued.

C.A.NO.2621/2012

Last opportunity of four weeks is granted for furnishing fresh complete address of respondent nos. 13,14,16,25 to 27, 72,90, 117,138,142,147,154,161,163,47,68,44 and 102. Notices thereafter be issued.

Last opportunity of four weeks is granted for taking steps as per Government O.M. No.F.12(77)/10-Judl. dt.18.8.2011 for service of respondent nos. 115 to 117, 108 and 116.

Last opportunity of four weeks is granted for taking steps for substitution of legal representatives of deceased respondent nos. 15, 73, 88, 89, 98, 134, 137, 139, 141, 145, 152, 153.

Await certificate of service from the High Court with regard to respondent nos. 74 and 75.

C.A.NO.2738/2012

Last opportunity of four weeks is granted for furnishing fresh address of respondent nos.5-8, 13,20-,24,28 and 29 and await certificate of service from the High Court with regard to respondent no.33. Reminder be issued.

C.A.NO.3665/2012

Last opportunity of four weeks is granted for filing application for deletion of the name of respondent no.7. Opportunity to file counter affidavit to respondent nos. 1 to 4 has already been declined.

C.A.NO.5006/2014

Last opportunity of four weeks is granted for filing application for substitution of respondent nos. 7,8,20,23,25,27,44,115,120,138,140 and 141.

Last opportunity of four weeks is granted for taking fresh steps for effecting service on respondent no.6 within four weeks time. Notice thereafter be issued.

SLP(C) NO.12004/2014

The Id. Counsel, Mr Siddharth Mittal appearing on behalf of Ms Usha Nandini V submits that the erstwhile Id. Counsel for the petitioner in this case has expired. He seeks time for filing vakalatnama. Be filed within four weeks time.

Opportunity to respondent nos. 1 and 3 to file counter affidavit has already been declined.

None appears for respondent no.2 despite due service.

List again on 10.3.2016.”

CIVIL APPEAL NO. 1323-1344/2011

It is submitted that Counsel for the appellant has not furnish the fresh address of the sole respondent in C.A. Nos. 1326,1334, 1338 and 1329 of 2011. Respondent Nos. 1 and 2 in C.A. No 1335 of 2011. Both respondents in C.A. No 1339 of 2011 so far. Hence notice could not be issued on the unserved respondents.

CIVIL APPEAL No.1359 of 2011

It is submitted that counsel for the appellant has not taken steps on the unserved respondents Nos. 5, 10 and 12 so far.

CIVIL APPEAL NO.1456 OF 2012

It is submitted that counsel for the appellant has not filed spare copy of the appeal on the unserved respondent no. 67

Certificate of service has not been received from the High Court on Respondent no. 54 and 55. He has not furnished the better particulars on respondent nos. 9, 17, 18, 51, 60, 41, 42 so far.

Respondent no. 57 since now deceased, Ld. Counsel for the appellant has not filed application for substitution.

CIVIL APPEAL No.1461 OF 2012

It is submitted that counsel for the appellant has not furnished fresh address of unserved respondent nos. 8, 37 and 38. He has not filed an application for substitution of the deceased respondent no. 11 so far.

C.A. No. 2621 OF 2012

It is submitted that counsel for the appellant has not furnished fresh address of unserved respondent nos. 13, 14, 16, 25-27, 72, 90, 117, 138, 142, 147, 154, 161, 163, 47, 68, 44 102. He has also not taken steps in accordance with the government O.M. dated August 2011, to effect service on respondent nos. 115-117, 108 and 116 who are residing abroad.

...4/-

It is further submitted that Counsel for the appellant has not taken steps to substitute the legal representatives of the deceased respondent nos. 15, 73, 88, 89, 98, 134, 137, 139, 141, 145, 152 and 153 on record.

Certificate of service has not been received from the High Court on Respondent Nos. 74 and 75 despite registry's request.

C.A. No. 2738 OF 2012

It is submitted that counsel for the appellant has not furnished fresh address of unserved respondent nos. 5-8, 13, 20, 24, 28 and 29.

It is further submitted that certificate of service has not been received from High Court in respect of Respondent Nos. 33.

C.A.No. 3665 OF 2012

It is submitted that Counsel for the appellant has not filed Application for deletion of the name of Respondent No.7 from the array of parties so far.

It is further submitted that Counsel for Respondent Nos. 1 to 4 has not filed counter affidavit so far.

C.A. No. 5006 OF 2014

It is submitted that Counsel for the appellant has not filed application for bringing legal representatives of deceased respondent nos.7,8,20,23, 25, 27, 44, 115, 120, 138, 140 and 141 on record so far.

It is further submitted that Counsel for the appellant has not taken steps in respect of respondent no.6.

SLP © No.12004/2014

It is submitted that Counsel for Respondent Nos.1 & 3 has not filed Counter Affidavit so far.

It is further submitted that A.D.Card duly signed has been received from the petitioner after receiving notice of alternative arrangement, but no one has filed Vakalatnama/Appearance on behalf of the petitioner so far.

It is lastly submitted that no one has filed Vakalatnama/Appearance on behalf of Respondent No.2, through served with notice.

...5/-

CIVIL APPEAL NOS. 3087-3088 OF 2015

The matter was listed before the Hon'ble Court on 16th March 2015, when the Court was pleased to pass the following orders:

“Delay condoned.

Leave granted.

Tag with Civil Appeal No.8390 of 2011.

In the meantime, no coercive steps shall be taken against the appellant for recovery of arrears of service tax which had become due on or before 30th September, 2011. We clarify that there is no stay of imposition of service tax under sub-clause (zzzz) of clause (105) of Section 65 read with Section 66 of the Finance Act, 1994 (as amended), insofar as the future liability towards service tax with effect from 1st October, 2011 is concerned.”

Accordingly, Notice of Lodgment of Petition of Appeal was issued on 4th June 2015 to all the Four Respondents through High Court. Certificates of Service of said Notice in respect of all the four Respondent have been received from the High Court, which shows that all the Respondent Nos.1 to 4 have been served with said Notice on 30th September 2015, 10th July 2015 and 22nd July 2015, but no one has filed Vakalatnama/ Appearance on behalf of all the Four Respondents so far.

The Office Report is listed before the Ld. Registrar Court.

Dated this the 11th day of January, 2016.

ASSISTANT REGISTRAR

Copy to:

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ASSISTANT REGISTRAR