

SECTION - III-B

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 1323-1344, 1351-1358, 1359, 9021, 9023, 9024, 9025, 9026, 9030, 9031, 9032 AND 11358 OF 2011, CIVIL APPEAL NOS. 1456, 1461, 2621, 2738 AND 3665 OF 2012, CIVIL APPEAL NO. 5006 OF 2014 AND SPECIAL LEAVE PETITION © NO. 12004 OF 2014

UNION OF INDIA & ORS. ETC. ETC.

...Appellants

-Versus-

M/S. LIFESTYLE INTERNATIONAL P. LTD. & ORS. ETC. ETC.

...Respondents

OFFICE REPORT

CIVIL APPEAL NOS. 1323-1344, 1351-1358, 1359, 9023, 9031 AND 11358 OF 2011, CIVIL APPEAL NOS. 1456, 1461, 2621, 2738 AND 3665 OF 2012, CIVIL APPEAL NO. 5006 OF 2014 AND SPECIAL LEAVE PETITION © NO. 12004 OF 2014

The matters above-mentioned were listed before the Ld. Registrar Court on 31<sup>st</sup> August, 2016 when the following order was passed:

^C.A. No. 1456, 1461, 2621, 2738, 3665 of 2012, C.A. No. 5006/2014

Deleted.

C.A. No. 1323-1344/2011

Ld. Counsel for the appellant to furnish fresh address of the sole respondent in C.A. No.1338/2011 within two weeks time as last opportunity. Notice thereafter be issued.

Ld. Counsel for the appellant to furnish fresh address of the sole respondent in C.A. No. 1329/2011 within two weeks time. Notice thereafter be issued.

None appears for respondent nos. 1 and 2 in C.A. No.1335/2011 and respondent nos. 1 to 3 in C.A. NO.1339/2011 despite due service.

Await service of the sole respondent in C.A. No. 1326, 1334 of 2011 from the High Court. Reminder be issued.

C.A. No.1359/2011

None appears for respondent nos. 1 to 9 and 11 to 14 despite due service.

Last opportunity of three weeks is granted for filing affidavit of dasti service in respect of respondent no.10.

C.A. No.9023/2011

Alternative arrangement notice to both appellants have been received back with the report 'left and 'not known'.

Certificate of service also not received from the High Court despite several efforts in respect of respondent nos. 1 to 23.

Let the matter be placed before the Hon'ble Judge in Chambers for further directions.

C.A. No.9031/2011

Respondent nos. 1 to 4 are duly represented.

None appears for respondent nos. 5 to 17 and 19 to 28 despite due service.

Application for substitution of legal representatives of deceased respondent no.18 has not been filed since 17.5.2013.

Let the matter be placed before the Hon'ble Judge in Chambers for further directions.

C.A.NO.11358/2011

Respondent nos. 1 to 4 are duly represented.

None appears for respondent nos. 5,6,10 to 13, 15 to 18,20 and 21 despite due service.

Spare copies and fresh address for service of respondent nos. 7 to 9, 14 and 19 have not been filed/furnished since February, 2015.

Let the matter be placed before the Hon'ble Judge in Chambers for further directions.

**SLP(C) NO.12004/2014**

Respondent nos. 1 and 3 are granted four weeks time as last opportunity for filing counter affidavit.

None appears for respondent no.2 despite due service.

**C.A. No. 1351- 358/2011**

Office report not received.

List again on 28.10.2016."

**CIVIL APPEAL NO. 1323-1344 OF 2011**

It is submitted that reminder to the High Court was issued on 20<sup>th</sup> July, 2016 for sending the certificate of Service in respect of Common Sole Respondent in Civil Appeal Nos. 1326 and 1334 of 2011, Sole Respondent in Civil Appeal No. 1329 of 2011, Respondent Nos. 1 and 2 in Civil Appeal 1335 of 2011, Respondent Nos. 1 to 3 in Civil Appeal No. 1339 of 2011.

The High Court of Delhi vide its letter dated 5<sup>th</sup> August, 2016 has sent Service report of Notice of Lodgement of Petition of Appeal which shows that the notice has been served on Respondent Nos. 1 and 2 in Civil Appeal No. 1335 of 2011 and Respondent Nos. 1 to 3 in Civil Appeal No. 1339 of 2011 but no one has entered appearance so far.

It is also submitted that Sole Respondent in Civil Appeal No. 1329 of 2011 is unserved as Office of the said Company has been shifted from the given address and now it is lying vacant as per certificate of service received from High Court. It is also submitted that Certificate of Service in respect of Common sole Respondent in Civil Appeal Nos. 1326 & 1334 of 2011 is not received from the High Court despite the this Registry's letter dated 14.09.2016.

It is further submitted that Counsel for the Appellant has not furnished fresh address of Sole Respondent in Civil Appeal No. 1338 of 2011 viz. M/s Saffron Foods (P) Ltd. so far. Hence fresh Notice of Lodgement of Petition of Appeal could not be issued.

**C.A. NO. 1359 OF 2011**

It is submitted that Advocate for the Appellant has not filed affidavit of Dasti service with proof in respect of respondent no. 10 so far.

**C.A. NO. 9030 of 2011**

There are 13 respondents in the matter. Service of Notice of Lodgment of Petition of Appeal is complete on Respondent nos. 1 to 3 as Mr. B.K. Prasad, Advocate has filed vakalatnama and appearance on their behalf. Mr. Pankaj Gupta, Advocate has filed vakalatnama and appearance on behalf of respondent no. 4. Respondent Nos. 5, 9, 12, 14 to 16, 18 and 19, 21 and 22, 24, 28 and 29 are served through certificate of service, but no one has entered appearance so far.

**Civil Appeal No. 9021 of 2011**

It is submitted that there are 19 respondents in the matter. Mr. B.K. Prasad, Advocate has filed v/a on behalf of respondent nos. 1 to 5. Service is complete on respondent nos. 7 to 13, 15 to 18 through certificate of service, but no one has entered appearance so far. Counsel for the appellant has not furnished fresh address of respondent nos. 6, 14, 19 despite this Registry's letter dated 19.05.2016.

Service is not complete on respondent nos. 6, 14, and 19.

**Civil Appeal No. 9024 of 2011**

It is submitted that there are 53 respondents in the matter. Mr. Krishnan Kumar Advocate has filed v/a on behalf of respondent no. 41 but he has not filed counter affidavit so far.

Service is not complete on respondent nos. 1 to 40, 42 to 53 as certificate of service has not been received from High Court of Bombay despite this Registry's letter dated 03.06.2016.

Service is not complete on respondent nos. 1 to 40, 42 to 53.

**Civil Appeal No. 9025 of 2011**

It is submitted that there are 8 respondents in the matter. Mr. B.K. Prasad, Advocate has filed v/a on behalf of respondent nos. 1 to 5 but he has not filed counter affidavit so far. Service is complete on respondent nos. 7 and 8 through certificate of service, but no one has entered appearance so far. Counsel for the appellant has not furnished fresh address of respondent nos. 6 despite this Registry's letter.

Service is not complete on respondent nos. 6.

**Civil Appeal No. 9026 of 2011**

It is submitted that there are 20 respondents in the matter.

Service is not complete on respondent nos. 1 to 20 as certificate of service has not been received from High Court of Bombay despite this Registry's letter.

Service is not complete on respondent nos. 1 to 20.

**Civil Appeal No. 9032 of 2011**

It is submitted that there are 116 respondents in the matter.

Service is not complete on respondent nos. 1 to 116 as certificate of service has not been received from High Court of Bombay despite this Registry's letter dated 08.05.2016.

Service is not complete on respondent nos. 1 to 116.

**Civil Appeal 9030 of 2011**

It is submitted that there are 30 respondents in the matter. Mr. B. K. Prasad and Mr. Pankaj Gupta, Advocates have filed v/a on behalf of respondent no. 1 to 3 and 4 respectively. Service of Lodgment of Petition of Appeal is complete in respect of Respondent nos. 5,6, 8, 10, 12, 13, 15, 16, 19 to 24, 27 to 29 through certificate of Service, but no one has entered appearance so far.

It is also submitted that Certificate of service of Notice of lodgment of Petition of Appeal have been received from respondent no. 7, 9, 17, 25 which shows that notice have been returned unserved with remarks "shifted from given address", "premises found locked, shifted to other place", "door was found locked", and "no such office at given address" respectively. Counsel for the Appellant has not filed fresh address of Respondent nos. 7, 9, 17, 25. Certificate of service has not been received from respondent nos. 11, 14, 18, 26, 30. However, High Court vide its letter received on 27<sup>th</sup> September, 2016 requested to issue fresh Notice of Lodgment of Petition of Appeal for respondent nos. 11, 26 and 30. Service is not complete on respondent nos. 7, 9, 11, 14, 17, 18, 25, 26 and 30.

**Civil Appeal No. 9031 of 2011**

It is submitted that there are 28 Respondents in this matter Mr. B.K. Prasad, Advocate has filed Vakalatnama/Appearance on behalf of Respondent Nos. 1 to 4. Service is complete on respondent nos. 5 to 17, 19 to 28 through certificate of Service received from the High Court, but no one has entered appearance so far. It is also submitted that respondent no. 18 has since expired as per certificate of service received through High Court, but counsel for the the Appellant has not filed application for

substitution to bring on record legal representatives list of deceased respondent no. 16 despite this Registry's letter dated 17<sup>th</sup> May, 2013, 17<sup>th</sup> November, 2014 and 23<sup>rd</sup> May, 2016 so far.

**Civil Appeal No. 11358 of 2011**

It is submitted that there are 21 respondents in this appeal. Service of Notice of Lodgment of Petition of Appeal is complete on all the respondents except respondent nos. 7 to 9, 14 and 19. Mr. B.K. Prasad, Advocate has filed Vakalatnama/Appearance on behalf of respondent no. 1 to 4 and certificate of service has been received from the High Court which shows that notice has been served on respondent nos. 5, 6, 10 to 13, 15 to 18, 20 and 21 but no one has filed Vakalatnama/Appearance on behalf of the said respondents. Certificate of Service has been received back from the High Court in respect of respondent nos. 7 to 9, 14 and 19 with remarks that "incomplete address".

It is further submitted that the counsel for the appellant has filed fresh and complete address in respect of respondent nos. 7 to 9, 14 and 19 alongwith two copies of Petition of Appeal for effecting service on respondent nos. 8 and 9 so far despite Registry's request dated 16.02.2015 and 24.05.2016.

**SPECIAL LEAVE PETITION © NO. 12004 OF 2014**

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

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

Service of Notice is complete.

**Civil Appeal No. 1456 of 2012**

It is submitted that counsel for the appellant has not filed spare copy of the Petition of 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.

It is submitted that appeal dismissed against respondent no. 9, 17, 18, 51, 60, 41, 42 vide Court's Order dated 22.08.2016 as four weeks time elapsed.

**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 filed an application for substitution of the deceased respondent no. 11 so far. Appeal dismissed against respondent nos. 8, 11, 37 and 38 vide Court's Order dated 22.08.2016.

**Civil Appeal 2621 of 2012**

It is submitted that counsel for the appellant has not furnished fresh address of unserved respondent no. 13, 14, 15, 16, 25 to 27, 72, 73, 74, 75, 88, 89, 98, 117, 134, 137, 138, 139, 141, 142, 145, 147, 154, 161, 163, 47, 68, 44, 102, 152-153. He has also not taken steps in accordance with the government O.M. Dated August, 2011 to effect service on respondent nos. 115 to 117, 108 and 116 who are residing abroad and appeal disposed against them vide Order dated 22.08.2016.

**Civil Appeal No. 2738 of 2012**

It is submitted that counsel for the appellant has not furnished fresh address of unserved respondent nos. 5 to 8, 13, 20, 24, 28 and 29 and appeal dismissed vide Court's Order dated 22.08.2016.

It is further submitted that certificate of service has not been received from the High Court in respect of respondent no. 33 despite reminder.

**Civil Appeal No. 3665 of 2012**

It is submitted that counsel for the appellant has not filed application for deletion of name of respondent no. 7 from the array of parties so far and appeal dismissed vide Order dated 22.08.2016.

It is further submitted that counsel for respondent no. 1 to 4 has not filed counter affidavit so far.

**Civil Appeal No. 5006 of 2014**

It is submitted that counsel for the appellant has not filed application for bringing legal representatives of deceased respondent nos. 6, 7, 8, 20, 23, 25, 27, 44, 115, 120, 138, 140 and 141 on record so far and appeal dismissed vide Order dated 22.08.2016.

**Civil Appeal No. 1351-1358 of 2011**

It is submitted that there are 19 respondents in these appeals. Service of notice of lodgment of petition of appeal is complete in all the respondents except respondent No. 2 in C.A. No. 1352 of 2011.

Service position of each respondent is as under:-

C.A. No.	Total Respondents	V/A filed	A.D. Card received	Certificate of Service	Unservd
1351	2	Resp. No. 2 by Ms. Bina Tamta, Advocate	Resp. No. 1		
1352	3	Resp. No. 3 by Mr. Bankey Bihari, Advocate	Resp. No. 1		Resp. No. 2
1353	3		Resp. No. 1	Resp. No. 2 & 3	
1354	1		Resp. No. 1		
1355	2		Resp. Nos. 1 & 2		
1356	4	Resp. No. 4 by Ms. Suman Jyoti Khaitan, Advocate	Resp. Nos. 1 to 3		
1357	2	Resp. No. 1 by M/s O.P. Khaitan & Co., Advocates	Resp. No. 2		
1358	2	Resp. No. 1 by M/s O.P. Khaitan & Co., Advocates	Resp. No. 1		

It is further submitted that certificate of service has been received back from the High Court in respect of respondent No. 2 in C.A. No. 1352 of 2011 with remarks "Now Sunrise Hospital exists at the given address". Counsel for the appellant has not filed fresh and complete address of respondent No. 2 in C.A. No. 1352 of 2011 so far despite this Registry's request dated 29<sup>th</sup> November, 2014 and 29<sup>th</sup> February, 2016.

It is lastly submitted that A.D. Card duly signed have been received back from respondent No. 1 in C.A. Nos. 1351, 1352, 1353, 1354 and 1358 of 2011, respondent Nos. 1 to 3 in C.A. No. 1356 of 2011 and respondent No. 2 in C.A. No. 1357 of 2011 respectively but no one have filed Vakalatnama/Appearance so far.

The matters above-mentioned are listed before the Ld. Registrar Court with this office report.

Dated this the 27<sup>th</sup> day of October, 2016.

ASSISTANT REGISTRAR

Copy to:

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ASSISTANT REGISTRAR