

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

**PETITION FOR SPECIAL LEAVE TO APPEAL (C) NOS. 33190, 33192, 33194, 33811 of
2014, 708 and 1481 of 2015**

Commissioner of Central Excise Madurai

...Petitioner

-VERSUS-

Thiyagarajar Mills Ltd. Etc. Etc.

...Respondents

OFFICE REPORT

S.L.P.(C) Nos. 33190, 33192 and 33194 of 2014

The office report was listed before the Ld. Registrar's Court on 11th March, 2016, when the following order was passed:-

“SLP(C) Nos. 33190 and 33192/2014

Await the return of the service of notice already issued to the sole respondent.

SLP(C) No. 33194/2014

Four weeks time is given to the learned counsel for the petitioner for filing the affidavit in proof of dasti service of notice already issued to the sole respondent.

List again on 2.5.2016.”

S.L.P.(C) No. 33190 of 2014

It is submitted that Mr. Nikhil Nayyar, Advocate has on 15th March, 2016 filed Vakalatnama/Appearance on behalf of the sole respondent but has not filed counter affidavit so far.

S.L.P.(C) No. 33192 of 2014

It is submitted that A.D. Card duly signed and stamped has been received back from the sole respondent but no one has filed Vakalatnama/Appearance on behalf of the said respondent so far.

SLP © No. 33194 of 2014

It is submitted that counsel for the petitioner has on 17th March, 2016 filed affidavit of dasti service alongwith proof service which shows that the notice has been served to the sole respondent on 26th February, 2016 but no one has filed Vakalatnama/Appearance on behalf of the said respondent so far.

S.L.P.(C) No. 33811 of 2014

The office report with regard to not filing of fresh and correct address of the sole respondent and not furnishing the Trial Court address was listed before Ld. Registrar's Court on 15th October, 2015, when the following order was passed:-

“The office report indicates that although by order dated 5.8.2015 of this Court four weeks time as last chance was given to the Learned Counsel for the petitioners to take fresh steps for the service of notice to the unserved Respondent, yet he has not done the needful within the period stipulated in the order. Viewed in that context, the matter shall be processed for listing before the Hon'ble Judge in Chambers for further future directions. Await orders. List thereafter.”

Thereafter, the matter was again listed before the Hon'ble Judge in Chamber on 11th January, 2016, when His Lordship was pleased to pass the following order:-

“As a last chance, four weeks' time is granted to learned counsel for the petitioner to take fresh steps as per office report dated 21st November, 2015.”

It is submitted that fresh dasti notice was handed over to counsel for the petitioner on 21st January, 2016 for effecting service of notice to the sole respondent. Counsel for the petitioner has on 11th April, 2016 filed affidavit of dasti service alongwith proof of service which shows that the notice has been served to the sole respondent on 21st March, 2016 but no one has filed Vakalatnama/Appearance on behalf of the said respondent so far.

S.L.P.(C) Nos. 708 and 1481 of 2015

The office report with regard to not filing of copy of SLP for issue of show cause notice was listed before the Ld. Registrar's Court on 28th January, 2016, when the following order was passed:-

“Ld. counsel for the petitioner has failed to file the spare copy of the petition for the service of notice to the unserved respondent, in spite of last chance granted. Therefore, these matters shall be processed for listing before the Hon'ble Judge in Chambers for further future directions. Await orders and list thereafter. ”

Thereafter, the matters were listed before the Hon'ble Judge in Chamber on 30th March, when His Lordship was pleased to pass the following order:-

“As a last chance, two weeks' time is granted to learned counsel for the petitioner to file spare copy of the special leave petitions.”

It is submitted that fresh show cause notice was issued to the sole respondent on 7th April, 2016 by Regd. A.D. Post in both the matters. Service of notice is awaited.

The office report is listed before Ld. Registrar's Court for order.

Dated this the 29th day of April, 2016.

ASSISTANT REGISTRAR

Copy to:

1. Mr. B.K. Prasad, Advocate
Central Agency Section.
2. Mr. Nikhil Nayyar, Advocate
133, Lawyers Chambers.

ASSISTANT REGISTRAR

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