

SECTION: XIV
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NOS. 21592, 29275 &
31763/2013

BISWAJIT PRASAD Etc. ...PETITIONERS

VERSUS

GAUHATI HIGH COURT AT GUWAHATI & ORS. ...RESPONDENTS

OFFICE REPORT FOR ORDERS

SLP(C) No. 21592/2013:-

The matter above mentioned was listed before the Hon'ble Court on 22.07.2013 when the court was pleased to interalia pass the following order:

**"Delay condoned.
Issue notice."**

It is submitted that pursuant to aforesaid order, show cause notice to respondent Nos. 1 to 12 was issued on 13.09.2013 by regd. A.D. Mr. P. I. Jose, Advocate has filed vakalatnama/appearance as well as counter affidavit on behalf of respondent No. 1 and counter affidavit has been included in SLP paper books. M/s. Corporate Law Group, Advocates have filed vakalatnama/appearance on behalf of respondent No. 3 but has not filed counter affidavit so far. A.D. cards duly signed by respondent Nos. 2, 9 & 11 have been received but no one has entered appearance so far. Neither A.D. card nor unserved cover containing notice to respondent Nos. 10 and 12 has been received. The Company of advocates 'M/s. Map & Co.' earlier representing respondent Nos. 4 to 8 has since been dissolved, notice for alternative arrangement was issued to the said respondents. A. D. cards duly signed by respondent Nos. 4, 5, 7, 8, have been received but no one has entered appearance so far. Neither A.D. card nor unserved cover containing alternative arrangement notice has been received from respondent No. 6 so far.

For non-completion of service of alternative arrangement to respondent No. 6 and service of notice on unserved respondent Nos. 10 & 12, the matter was listed before the Court of Ld. Registrar from time to time and non compliance of order dated 20.4.2015 of Ld. Registrar Court the matter was lastly listed on 07.08.2015 when the Court was pleased to pass the following Order:-

"Fresh notice of alternative arrangement shall be sent to the respondent No.6. The office report indicates that although by order dated 20.4.2015 of this Court four weeks time as last chance was given to Learned Counsel for the petitioner to take fresh steps for the service of notice to the unserved Respondent Nos. 10 and 12, 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."

It is submitted that fresh notice for alternative arrangement has been issued to respondent No. 6 on 09.08.2015 and service is awaited.

It is further submitted that counsel for the petitioner has on 05.05.2015 filed spare copies of SLP but has not furnished particular of concerned Trial Court for effecting dasti service through Trial Court on respondent Nos. 10 and 12.

SLP(C) No.29275 & 31763/2013:-

The office report for orders dated 30.04.2015 in the matters above mentioned were listed before Hon'ble Judge in Chambers on 25.02.2015, when His Lordship was pleased to pass the following order:-

"A perusal of the office report reveals that counsel for the petitioners in SLP(C)No.29275/2013 has not taken fresh steps for effecting service on respondent No.3. The office report further reveals that counsel for the petitioners in SLP(C)No.31763/2013 has not taken steps for deleting the name of unserved respondent No.4.

Learned counsel for the petitioners seeks eight weeks' time to enable him to comply with the Office Report dated 02.02.2015.

Prayer is allowed.

Office Report dated 02.02.2015 be complied with within eight weeks from today, subject to payment of Rs.5,000/- as costs, which shall be deposited with the Supreme Court Mediation Centre within two weeks from today."

It is submitted that in SLP (C) No. 29275/2013 counsel for the petitioners has not deposited the Cost of Rs. 5000/- with the Supreme Court Legal Service Committee and instead of taking fresh steps to serve Respondent No. 3 counsel for the petitioner has on 07.08.2015 filed proof of service of supply of copy of pleadings on standing counsel for Respondent No. 3(State of Assam).

It is further submitted that in SLP(C) No. 31763/2013 counsel for the petitioners has not deposited the cost of Rs. 5000/- with the Supreme Court Legal Service Committee however she has on 30.4.2015 filed an application for deletion of name of respondent No. 4 but she has not served the said application on Mr. P.I. Jose, advocate appearing for respondent Nos. 1 & 2. Despite this Registry's letter dated 01.04.2015 she has not filed proof of service so far. However, the unregistered application has been placed with SLP paper books.

The matters above-mentioned are listed before the Hon'ble Judge in Chambers with this Office Report.

DATED THIS THE 17th DAY OF AUGUST, 2015.

ASSISTANT REGISTRAR

Copy to:

Mr. Naresh Kumar, Adv. Ch. No.
Ms. Sunita Rao, Adv. Ch. No.
Mr. P.I. Jose, Adv. Ch. No.
M/s. Corporate Law Group, Adv. Ch. No.
Mrs. B. Sunita Rao, Adv. Ch. No.

ASSISTANT REGISTRAR

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GAUHATI HIGH COURT AT GUWAHATI & ORS.

...RESPONDENTS

OFFICE REPORT

The matter above mentioned was listed before the Hon'ble Court on 09.09.2014 when the court was pleased to interalia pass the following order:

"Four weeks time as last chance is given to the Ld.counsel for the petitioner to comply with the terms of the order dated 10.02.2015 of this Court.

Fresh steps for the service of notice by usual mode to the unserved respondent Nos.4,5 7 & 8 shall be taken by the Ld.counsel for the petitioner within a period of three weeks. Dasti in addition is permitted to be served through the Trial Court, the particulars of which shall be furnished by the Ld.counsel for the petitioner within the period provided above.

Await the return of the service of notice for making alternative arrangement already issued to the respondent No.6.

List again on 07.08.2015."

It is submitted that counsel for the petitioner has on 05.05.2015 filed spare copies of SLP but has not furnished the particulars of concerned Trial Court for effecting Dasti service through Trial Court on respondent Nos. 10 and 12 despite this registry's letter dated 06.05.2015 A.D. cards duly signed by respondent Nos. 4, 5, 7 & 8 have been received in respect of notice for alternative arrangement. No one has entered appearance so far. Service of notice for making alternative arrangement in respect of respondent No. 6 is awaited.

It is further submitted that no one has entered appearance on behalf of respondent Nos. 2, 9 & 11 and counsel appearing for respondent No. 3 has not filed counter affidavit so far. Counter affidavit has already been filed by

respondent No. 1.

..2/-

..2..

Service is not completed on Respondent Nos. 6, 10 and 12.

The matter above-mentioned is listed before the Hon'ble Court with this Office Report.

DATED THIS THE 6th DAY OF AUGUST, 2015.

ASSISTANT REGISTRAR

Copy to:

Mr. Naresh Kumar, Adv. Ch. No.

Ms. Sunita Rao, Adv. Ch. No.

Mr. P.I. Jose, Adv. Ch. No.

M/s. Corporate Law Group, Adv. Ch. No.

ASSISTANT REGISTRAR

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