

LISTED ON: 10-3-2015
COURT NO. 5
ITEM NO. : 7

SECTION XIIA
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION NO. 1 IN SLP(C)..C.C. NO. 3086 OF 2015

(Application for permission to file SLP)

AND

INTERLOCUTORY APPLICATION NO. IN SLP(C)..C.C. NO. 3086 OF 2015

(Application for condonation of delay in filing SLP)

AND

PETITIONS FOR SPECIAL LEAVE TO APPEAL(C) Nos. 5638, 5641, 5639 AND 5642 OF 2015 AND C.C. NO. 3086 OF 2015

WITH

PRAYER FOR INTERIM RELIEF

AND

INTERLOCUTORY APPLICATION NO. 4 IN SLP(C) NO. 5638 OF 2015

(Application for Directions)

AND

INTERLOCUTORY APPLICATION NO. 5 IN SLP(C) NO. 5638, 5639 AND 5641 OF 2015

(Application for permission to file additional documents)

S M AUTO ENGINEERING PRIVATE LIMITED & ANR. ...Petitioners

-Versus-

VENKATA TRIVENI PRASAD GANAPATHIRAJU & ORS. ...Respondents

OFFICE REPORT

The matters above-mentioned were listed before the Hon'ble Court on 13th February, 2015, when the Court was pleased to pass the following order:

“Delay condoned.

Permission to file the special leave petitions is granted.

Issue notice.

Mr. Dushyant Dave, learned senior counsel along with Mr. Vishnu Sharma, learned counsel has entered appearance on behalf of respondent no.1. He undertakes to file the counter affidavit within a week hence. Rejoinder affidavit, if any, be filed within a week therefrom. As far as respondent nos.2 and 3 are concerned, let notice be issued and be served dasti. In addition, copy be served

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on the office of the learned Attorney General for India through the Central Agency. As far as respondent no.4 is concerned, let a copy of the petitions be served on Mr. Udayasagar, learned counsel who ordinarily appears for the State of Telangana.

The matter be listed along with SLP (C)..... CC No.412/2015 on 10.03.2015.

The interim order passed on 16.01.2015 in SLP (C)..... CC No.412/2015 shall enure to the benefit of the petitioner till the next date of hearing. It is hereby made clear that no adjournment will be granted to any of the parties. If any adjournment is sought by the petitioners, the stay order granted by us shall stand vacated. Needless to emphasise, if eventually the petitioners do not succeed, they shall not claim any equity on the basis of order of stay granted by this Court."

SLP(C) NO. 5638 OF 2015

It is submitted to the Hon'ble Court that notice was issued on 20th February, 2015. There are 4 respondents in the matter. Mr. Vishnu Sharma, Advocate has entered appearance through caveat on behalf of respondent no. 1 and also filed counter affidavit and the same is circulated herewith. Service of notice is awaited from remaining respondents.

It is further submitted that dasti notice was handed over to counsel for the petitioner and he has on 28th February, 2015 filed only affidavit alongwith proof of service of Respondent no. 2. But no one has entered appearance on behalf of Respondent no. 2.

It is further submitted that copy of notice has been served on Central Agency and Standing counsel for the State of Telangana but no one has entered appearance on their behalf.

Service is not complete on respondent nos. 3 and 4.

SLP(C) NO. 5639 OF 2015

It is submitted to the Hon'ble Court that there are 4 respondents in the matter. Mr. Vishnu Sharma, Advocate has filed counter affidavit on behalf of Respondent no. 1 and the same is circulated herewith. Notice was issued to Respondent nos. 2 to 4. Service is awaited. Counsel for the Petitioner has not filed proof of service alongwith affidavit so far.

Service is not complete on Respondent nos. 2 to 4.

It is further submitted that copy of notice has been served on Central Agency and Standing counsel for the State of Telangana but no one has entered appearance on their behalf.

SLP(C) NO. 5641 OF 2015

It is submitted to the Hon'ble Court that notice was issued on 20th February, 2015. There are 4 respondents in the matter. Mr. Vishnu Sharma, Advocate has entered appearance through caveat on behalf of respondent no. 1 and also filed counter affidavit and the same is circulated herewith. Service of notice is awaited in respect of respondent nos. 2 to 4. Dasti notice was handed over to counsel for the petitioner and he has on 28th February, 2015 filed proof of service of Respondent nos. 2 but no one has entered appearance on behalf of Respondent nos. 2.

It is further submitted that copy of notice has been served on Central Agency and Standing counsel for the State of Telangana but no one has entered appearance on their behalf.

SLP(C) NO. 5642 OF 2015

It is submitted to the Hon'ble Court that notice was issued on 20th February, 2015. There are 4 respondents in the matter. Mr. Vishnu Sharma, Advocate has entered appearance on behalf of Respondent no. 4 and also filed counter affidavit and the same is circulated herewith. Mr. T. Harish Kumar, Advocate has on 28th February, 2015 filed only proof of service on respondent nos. 1 and 2, but he has not filed affidavit of service alongwith proof of service. He has served copy to Mr. S. Udaya Kumar Sagar for respondent no. 3.

It is further submitted that copy of notice has been served on Central Agency and Standing counsel for the State of Telangana but no one has entered appearance on their behalf.

It is further submitted that Mr. Vishnu Sharma, Advocate has on 28th March, 2015 filed additional documents alongwith application for permission to file additional documents in SLP(C) No. 5638, 5641 and 5639 of 2015 and the same is registered as I.A. No. 5 and circulated herewith and Mr. E.C. Agrawala, Advocate has on 9th March, 2015 filed reply on behalf of Petitioner to the application for permission to file

additional documents and the same is circulated herewith.

SLP(C)..C.C. NO. 3086 OF 2015

The Special Leave Petition above-mentioned has been filed against the Judgment and Order dated 9th October, 2014 of the High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh in W.P.M.P. No. 37663 of 2014 in W.P. No. 30138 of 2014.

It is submitted to the Hon'ble Court that there is delay of 34 days in filing the special leave petition and counsel for the petitioner has filed application for condonation of delay in filing SLP.

The aforesaid matter alongwith application is listed before the Hon'ble Court with this office report.

Dated this, the 9th day of March, 2015.

ASSISTANT REGISTRAR

Copy to :-

1. Mr. E.C. Agrawala, Advocate
48, Lawyers Chambers
2. Mr. Vishnu Sharma, Advocate
3. Ms. Sushma Suri, Advocate
4. Mr. S. Udaya Kumar Sagar, Advocate
5. Mr. T. Harish Kumar, Advocate

ASSISTANT REGISTRAR

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