

LISTED ON 10.3.2015
COURT NO. 5
ITEM NO. 7

SEC. IVA

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL)NO. 1864 OF 2015
WITH PRAYER FOR INTERIM RELIEF

AND

INTERLOCUTORY APPLICATION NO. 3

(Application for recall of orders dated 16.1.2015)

AND

INTERLOCUTORY APPLICATION NO. 4

(Application for permission to file Additional Documents)

Auto Engineering Private Ltd. & Anr.	...PETITIONERS
- VERSUS -	
Auto Drivers Welfare Association (Regd) & Ors.	...RESPONDENTS

OFFICE REPORT

The matter above mentioned was listed before the Hon'ble Court on 16.1.2015 with an office report dated 14.1.2015, when the Court was pleased to pass the following Order:

" Permission to file the special leave petition is granted.

Delay condoned.

Issue notice.

Mr. D.S. Mahra, learned counsel, assisting Mr. Mukul Rohatgi, learned Attorney General for India, accepts notice on behalf of the respondent Nos.3 and 4.

Let a copy of the petition be served on Mr. V.N. Raghupathy, learned Standing Counsel for the State of Karnataka. As far as the respondent Nos.1, 2 and 5, are concerned, let notice be served Dasti. In addition to Dasti, permission is granted to the petitioners to serve the notice on the aforesaid respondents through their counsel appearing in the High Court.

Counter affidavit, if any, by the respondent Nos.3 and 4, be filed within two weeks hence.

Let the matter be listed on 10th March, 2015.

As an interim measure, it is directed that there shall be stay of operation of the impugned order dated 25th August, 2014, till the next date of hearing. There shall also be stay of further proceedings in W.P.(C) No.203557 of 2014 (MV), till the next date of hearing."

Accordingly, show cause notice was issued to respondent no. 1,2 & 5 and dasti notice was also issued to counsel for the petitioner Mr. Vishnu Sharma, Advocate has on 5.2.2015 filed vakalatnama/appearance on behalf of respondent nos. 1 & 2 and also on 26.2.2015 filed counter affidavit and the same is being circulated with this report.

It is further submitted that counsel for petitioner has on 11.2.2015 filed affidavit with proof of service only in respect of respondent nos 1 & 2. Service of show cause notice is not complete on respondent no. 5.

It is further submitted that Mr. Vishnu Sharma, Advocate has on 5.2.2015 filed an application for recall of order dated 16.1.2015 (IA No. 3) and the same is being circulated with this report. He has also on 28.2.2015 filed an application for permission to file additional document (IA No. 4) with additional documents (vol. I & II) and the same also being circulated with this report.

It is further submitted that M/s D. S. Mahra and V. N. Raghupathy, Advocates have not filed vakalatnama/appearance on behalf of Union of India & State of Karnataka, so far.

It is lastly submitted that counsel for the Petitioner has on 09.03.2015 filed Rejoinder Affidavit to counter Affidavit dated 26.02.2015 filed by first Respondent and reply on behalf of Petitioners to the application for permission to file additional documents by Respondent No. 1 with the leave of the Hon'ble Court and the same is being circulated with this office report.

The matter above mentioned is listed before the Hon'ble Court with this office report.

Dated this the 9th day of March, 2015.

ASSISTANT REGISTRAR

COPY TO :Mr. E. C. Agarwal, Adv.
Mr. Vishnu Sharma, Adv.

ASSISTANT REGISTRAR

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