

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 and 15th July, 2015, when the Court was pleased to pass the following order:

13th February, 2015

“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

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 Telengana.

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.”

15th July, 2015

“Let the matters be listed on 13th October, 2015.

The Registry shall see that service is completed in the meantime. If any requisites have to be filed, Advocates-on-Record for the parties shall be intimated so that they can take appropriate steps.

Pleadings shall be completed from all angle by end of September, 2015.

The interim order passed on the earlier occasion shall remain in force till the next date of hearing.

I.A. Nos. 10-18 of 2015 filed in T.P.(C) Nos. 342 & 348 of 2015, seeking permission to argue and appear in person stand allowed.”

SLP(C) NO. 5638 OF 2015

It is submitted to the Hon'ble Court that 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 included in SLP paper books. Ms. Rachna Gupta and Mr. S. Udaya Kumar Sagar, Advocates has filed vakalatnama/appearance on behalf of Respondent nos. 3 and 4 respectively and Ms. Rachna Gupta, Advocate has on 17th April, 2015 filed counter affidavit on behalf of Respondent no. 3 and the same is circulated herewith but no counter affidavit filed on behalf of Respondent no. 4. Service is complete on Respondent no. 2 through dasti and Respondent no. 2 is common in connected SLP(C) No. 5641 of 2015 as Respondent no. 2 and the same is represented by Mr. D.S. Mahra,

Advocate in connected SLP, but he has not filed vakalatnama/appearance in the SLP.

Service is complete.

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 included in SLP paper books.

It is further submitted that Mr. D.S. Mahra, Ms. Rachna Gupta and Mr. S. Udaya Kumar Sagar, Advocates has filed vakalatnama/appearance on behalf of Respondent nos. 2, 3 and 4 respectively. Ms. Rachna Gupta and Mr. D.S. Mahra, Advocates have filed counter affidavit on behalf of Respondent nos. 2 and 3 and the same is circulated herewith. S. Udaya Kumar Sagar, Advocate has not filed counter affidavit on behalf of Respondent no. 4.

Service is complete.

SLP(C) NO. 5641 OF 2015

It is submitted to the Hon'ble Court that 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 included in SLP paper books.

It is further submitted that Mr. D.S. Mahra, Ms. Rachna Gupta and Mr. S. Udaya Kumar Sagar, Advocates has filed vakalatnama/appearance on behalf of Respondent nos. 2 to 4. Counter affidavit filed on behalf of Respondent no. 2 and 3 have been circulated herewith. No counter affidavit on behalf of Respondent no. 4 has been filed.

Service is complete.

SLP(C) NO. 5642 OF 2015

It is submitted to the Hon'ble Court that 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 included in SLP paper books.

It is further submitted that Ms. Rachna Gupta and Mr. S. Udaya Kumar Sagar, Advocates has filed vakalatnama/appearance on behalf of Respondent nos. 2 and 3.

Service is complete on Respondent no. 1 through dasti and Mr. D.S. Mahra, Advocate for U.O.I has not filed separate vakalatnama/appearance in this SLP.

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 already included in paper books.

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 and the said matter is arising out of same judgment and was listed alongwith SLP(C) No. 5639 of 2015 arising out of C.C. No. 3023 of 2015.

It is further submitted that Ms. Rachna Gupta, Advocate has on 13th April, 2015 filed counter affidavit on behalf of Respondent no. 2 and the same is circulated herewith.

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

Dated this, the 12th day of October, 2015.

ASSISTANT REGISTRAR

Copy to :-

1. Mr. E.C. Agrawala, Advocate
48, Lawyers Chambers
2. Mr. Vishnu Sharma, Advocate
102, Old Lawyers Chambers
3. Ms. Sushma Suri, Advocate
4. Mr. S. Udaya Kumar Sagar, Advocate
1, Ashoka Road, New Delhi
5. Mr. T. Harish Kumar, Advocate
6. Ms. Rachna Gupta, Advocate
7. Mr. D.S. Mahra, Advocate

ASSISTANT REGISTRAR