

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

BEFORE THE REGISTRAR SH. RAJESH KUMAR GOEL

Petition(s) for Special Leave to Appeal (C) No(s). 4303/2020

BANDA SRINIVAS GOUD

Petitioner(s)

VERSUS

THE STATE OF TELANGANA & ORS.

Respondent(s)

Date : 01-10-2021 This petition was called on for hearing today.

For Petitioner(s)

Mr Sravan Kumar, Adv.
Dr M.VK.Moorthy, Adv.
Mr. Hitendra Nath Rath, AOR

For Respondent(s)

Mr P Venkat Reddy, Adv.
Mr Prashant Tyagi, Adv.
Mr P Srinivas Reddy, Adv.
M/S. Venkat Palwai Law Associates, AOR

UPON hearing the counsel through Video Conference, the
Court made the following

O R D E R

Respondent no.2 has filed counter affidavit.

Respondent no.1 is granted four weeks time for filing
counter affidavit.

Service is complete on respondent no.3 but none has entered
appearance.

At this stage, ld.counsel for the petitioner vehemently
argued that in the present matter service is complete and
therefore, matter is required to be placed before the Hon'ble

Item No.5

Court immediately. He pointed out that in the present case, notice had been issued returnable in four weeks, that has already expired, therefore in all probability matter is required to be placed before the Hon'ble Court.

Submission made by the ld. counsel for the petitioner cannot be accepted. At this stage, even if service is complete, the matter cannot be ordered to be placed before the Hon'ble Court. Sufficient opportunities are required to be given to the respondent to file counter affidavit. In view of the Office Order F.No.11/Judl./2019 dt.12th April, 2019, even if notice has been issued returnable within a particular period, matter cannot be ordered to be placed before the Hon'ble Court until and unless the pleadings are complete. In the present case, respondent no.1 is being granted only first opportunity of four weeks for filing counter affidavit.

List again on 26.11.2021.

RAJESH KUMAR GOEL
Registrar