

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
**PETITION FOR SPECIAL LEAVE TO APPEAL © NOS. 9723, 11303, 11304,
11305, 11307, 11310, 11311 AND 11312 OF 2014**
WITH
PRAYER FOR INTERIM RELIEF

State of U. P. & Ors.

...Petitioners

-Versus-

M/s Bajrang Coal Dipo & Anr. Etc.

...Respondents

OFFICE REPORT

The office report was listed before Ld. Registrar's Court on 8th July, 2016 when the following order was passed:-

"SLP(C) No. 9723/2014

Despite last opportunity having been granted, fresh steps for service of both the respondents have not been taken.

As such, the matter be processed for listing before the Hon'ble Judge in Chambers for further directions.

SLP(C) No. 11303/2014

None appears for respondent Nos.1 and 2, despite due service.

Despite last opportunity having been granted, fresh steps for service of respondent Nos.3 and 4 have not been taken.

As such, the matter be processed for listing before the Hon'ble Judge in Chambers for further directions.

SLP(C) No. 11304/2014

None appears for respondent Nos.3, 4, 10 and 11, despite due service.

Despite last opportunity having been granted, spare copies for service of respondent Nos.1, 2, 5 to 9 and 12 have not been filed.

As such, the matter be processed for listing before the Hon'ble Judge in Chambers for further directions.

SLP(C) No. 11305/2014

None appears for respondent Nos.2, 5, 7, 12, 13 and 14, despite due service.

Despite last opportunity having been granted, spare copies for service of respondent Nos.1, 3, 4, 6 and 8 to 11 have not been filed.

As such, the matter be processed for listing before the Hon'ble Judge in Chambers for further directions.

SLP(C) No. 11307/2014

None appears for respondent Nos.1 to 5, 9 and 10, despite due service.

Despite last opportunity having been granted, spare copies for service of respondent Nos.6 to 8 have not been filed.

As such, the matter be processed for listing before the Hon'ble Judge in Chambers for further directions.

...2/-

SLP(C) No. 11310/2014

None appears for respondent Nos. 3 to 7, 10 and 13 to 21, despite due service.

Respondent Nos.1, 8 and 9 have filed counter affidavit.

Despite last opportunity having been granted, spare copies for service of respondent Nos.2, 11 and 12 have not been filed.

As such, the matter be processed for listing before the Hon'ble Judge in Chambers for further directions.

SLP(C) No. 11311/2014

Despite last opportunity having been granted, spare copies for service of respondent Nos.4, 5 and 8 to 12 have not been filed.

None appears for respondent Nos.1 to 3, 6 and 7, despite due service.

As such, the matter be processed for listing before the Hon'ble Judge in Chambers for further directions.

SLP(C) No. 11312/2014

None appears for respondent Nos.1 to 4, despite due service.

Despite last opportunity having been granted, spare copy for service of respondent No.5 has not been filed.

As such, the matter be processed for listing before the Hon'ble Judge in Chambers for further directions.”

S.L.P.(C) No. 9723 of 2014

It is submitted that Office Report on Default was listed before the Hon'ble Judge in Chamber on 15th September, 2016, when His Lordship was pleased to pass the following orders:-

“Let defects pointed out by the Registry be cured, by the learned counsel for the petitioners, within a period of fifteen days from today, failing which the special leave petition shall stand dismissed, without further reference to the Bench.”

It is submitted that fresh show cause notice was issued to both the respondents on 7th October, 2016 and as per Postal enquiry report, show cause notice was delivered on both the respondents on 16th October, 2016, but no one has filed Vakalatnama/Appearance on their behalf so far.

S.L.P.(C) Nos. 11303, 11304, 11305, 11307, 11310, 11311 and 11312 of 2014

The office on default with regard to non-filing of spare copies of SLP for issue of notice to unserved respondents was listed before the Hon'ble Judge in Chamber on 21st October, 2016, when His Lordship was pleased to condoned the delay in filing the spare copies.

...3/-

Service position of each matters is as under:-

S.L.P.(C) Nos. 11303 of 2014

It is submitted that there are four respondents. Service of notice is complete on respondent Nos. 1 and 2 as A.D. Cards duly signed have been received back from respondent Nos. 1 and 2 but no one has filed Vakalatnama/appearance on their behalf so far.

It is further submitted that fresh show cause notice was issued to respondent Nos. 3 and 4 through registered A.D. Post on 16th November, 2016. Neither A.D. Card nor unserved cover containing the said notice have been received back from respondent Nos. 3 and 4 so far.

S.L.P.(C) Nos. 11304 of 2014

It is submitted that there are twelve respondents. Service of notice is complete on respondent Nos. 3, 4, 10 & 11 as A.D. Cards duly signed have been received back from respondent Nos. 3, 4, 10 & 11 but no one has filed Vakalatnama/appearance on their behalf so far.

It is further submitted that fresh show cause notice was issued to respondent Nos. 1, 2, 5, 6, 7, 8, 9 & 12 through registered A.D. Post on 17th November, 2016. As per Postal enquiry report service of notice is complete on respondent No. 2 but no one has filed Vakalatnama/Appearance on his behalf so far.

Unserved cover have been received back from respondent Nos. 1, 6, 7, 8, 9 & 12 with Postal remarks "Left/insufficient address". Neither A.D. Card nor unserved cover containing the said notice have been received back from respondent No. 5 so far.

S.L.P.(C) Nos. 11305 of 2014

It is submitted that there are fourteen respondents. Service of notice is complete on respondent Nos. 2, 5, 7, 12, 13 & 14 as A.D. Cards duly signed have been received back from respondent Nos. 2, 5, 7, 12, 13 & 14 but no one has filed Vakalatnama/appearance on their behalf so far.

It is further submitted that fresh show cause notice was issued to respondent Nos. 1, 3, 4, 6, 8, 9, 10 & 11 through registered A.D. Post on 16th November, 2016. As per Postal enquiry report service of notice is complete on respondent No. 3, 6, 8, 10 & 11 but no one has filed Vakalatnama/Appearance on their behalf so far.

...4/-

It is lastly submitted that unserved cover have been received back from respondent Nos. 9 . Neither A.D. Card nor unserved cover containing the said notice have been received back from respondent Nos. 1 & 4 so far.

S.L.P.(C) Nos. 11307 of 2014

It is submitted that there are ten respondents. Service of notice is complete on respondent Nos. 1, 2, 3, 4, 5, 9 & 10 as A.D. Cards duly signed have been received back from respondent Nos. 1, 2, 3, 4, 5, 9 & 10 but no one has filed Vakalatnama/appearance on their behalf so far.

It is further submitted that fresh show cause notice was issued to respondent Nos. 6, 7 & 8 through registered A.D. Post on 16th November, 2016. As per Postal enquiry report service of notice is complete on respondent Nos. 6, 7 & 8 but no one has filed Vakalatnama/Appearance on their behalf so far.

S.L.P.(C) Nos. 11310 of 2014

It is submitted that there are twenty-one respondents. Respondent Nos. 1, 8 & 9 are represented through Mr. Piyush Sharma, Advocate and he has also filed counter affidavit on their behalf. Service of notice is complete on respondent Nos. 3 to 7, 10 & 13 to 21 as A.D. Cards duly signed have been received back from respondent Nos. 3 to 7, 10 & 13 to 21 but no one has filed Vakalatnama/appearance on their behalf so far.

It is further submitted that fresh show cause notice was issued to respondent Nos. 2, 11 & 12 through registered A.D. Post on 16th November, 2016. As per Postal enquiry report service of notice is complete on respondent Nos. 2 & 11 but no one has filed Vakalatnama/Appearance on their behalf so far.

It is lastly submitted that unserved cover has been received back from respondent No. 12 with Postal remark “insufficient address”.

S.L.P.(C) Nos. 11311 of 2014

It is submitted that there are twelve respondents. Service of notice is complete on respondent Nos. 1, 2, 3, 6 & 7 as A.D. Cards duly signed have been received back from respondent Nos. 1, 2, 3, 6 & 7 but no one has filed Vakalatnama/appearance on their behalf so far.

It is further submitted that fresh show cause notice was issued to respondent Nos. 4, 5, 8 to 12 through registered A.D. Post on 19th November, 2016. As per Postal enquiry report service of notice is complete on respondent Nos. 8, 9, 11 & 12 but no one has filed Vakalatnama/Appearance on their behalf so far.

...5/-

It is lastly submitted that unserved cover has been received back from respondent No. 10. Neither A.D. Card nor unserved cover containing the said notice have been received back from respondent Nos. 4 & 5 so far.

S.L.P.(C) Nos. 11312 of 2014

It is submitted that there are five respondents. Service of notice is complete on respondent Nos. 1 to 4 as A.D. Cards duly signed have been received back from respondent Nos. 1 to 4 but no one has filed Vakalatnama/appearance on their behalf so far.

It is further submitted that fresh show cause notice was issued to respondent No. 5 through registered A.D. Post on 16th November, 2016. As per Postal enquiry report unserved cover has been received back from respondent No. 5.

It is lastly submitted that counsel for the petitioner has not taken fresh steps for service of unserved respondents despite this Registry's letters.

The office report is listed before the Ld. Registrar Court for orders.

Dated this the 9th day of March, 2017.

ASSISTANT REGISTRAR

Copy to :

1. Mr. M.R. Shamshad, Advocate
2. Mr. Piyush Sharma, Advocate
118, Lawyers Chambers.

ASSISTANT REGISTRAR

c3