

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 MR. KAPIL MEHTA

Petition(s) for Special Leave to Appeal (C) No(s). 18044/2017

DR S VENKATADRI

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(MAIN MATTER IS ALREADY DIRECTED TO LIST BEFORE HON'BLE COURT.)

WITH

Diary No(s). 13901/2017 (XIV)

(and IA No.75058/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS and
IA No.135584/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS and IA
No.141051/2017-DELETING THE NAME OF RESPONDENT)

Diary No(s). 17007/2017 (XIV)

(FOR ADMISSION and I.R. and IA No.51004/2017-CONDONATION OF DELAY
IN FILING and IA No.51005/2017-EXEMPTION FROM FILING C/C OF THE
IMPUGNED JUDGMENT and IA No.51006/2017-PERMISSION TO FILE
ADDITIONAL DOCUMENTS and IA No.78847/2017-PERMISSION TO FILE
ADDITIONAL DOCUMENTS and IA No.93062/2017-PERMISSION TO FILE
ADDITIONAL DOCUMENTS and IA No.4112/2018-DELETING THE NAME OF
RESPONDENT)

SLP(C) No. 28825-28827/2017 (XII)

Date : 04-05-2018 This petition was called on for hearing today.

For Petitioner(s)

Mr. C. S. N. Mohan Rao, AOR
Ms. Shashi Pathak, Adv.
Mr. Sanjai Kumar Pathak, AOR
Mr. Arvind Kumar Tripathi, Adv.
Mr. Akhilendra Singh, Adv.
Mr. Sanjai Kumar Pathak, AOR
Mr. Rabindra Kumar Mohanty, Adv.
Mr. Arvind Kumar Sharma, Adv.
Mr. Gurmeet Singh Makker, AOR

For Respondent(s)

Ms. Nikhar Berry, Adv.
Mr. Mukesh Kumar Maroria, AOR
Mr. Aditya Ranjan, AOR
Ms. Shefali Jain, Adv.
Mr. Rajesh Prasad Singh, AOR
Mr. Amar Nath Gupta, Adv.
Mr. Rameshwar Prasad Goyal, AOR
Mr. Romy Chacko, AOR
Mr. Jagjit Singh Chhabra, AOR
Mr. Mohinder Jit Singh, AOR

Mr. Santosh Kumar - I, AOR
Mr. Ashutosh Kumar, Adv.
Mr. Vikas Kumar, AOR
Mr. Awanish Kumar, AOR
Mr. Kumar Abhishek, Adv.
Mr. Amit Kumar, AOR
Ms. Sujeeta Srivastava, AOR
Mr. Vardaan Wanchoo, Adv.
Mr. Arjun Harkauli, AOR
Mr. Nar Hari Singh, AOR
Ms. Surabhi, Adv.
Mr. Swetank Shantanu, AOR
Ms. Anushree Menon, Adv.
Mr. Vikas Mehta, AOR
Mr. Arvind Kumar Gupta, AOR
Unuc Legal Llp, AOR
Ms. Anagha S. Desai, AOR
Mr. Rahul Pratap, AOR
Mr. Mayank Goel, AOR
Mr. D. S. Chauhan, AOR
Ms. T. Archana, AOR
Mr. Anurag D. Mathur, Adv.
Ms. Slomita Rai, Adv.
Mr. Mohinder J.S. Roopal, AOR
Mr. Aditya Bakshi, Adv.
Mr. Vikas Kumar, AOR
Mr. Manav Gill, Adv.
Mr. Santosh Kumar I, AOR
Mr. Nar Hari Singh, AOR
Mr. Tanuj Khurana, Adv.
Mr. Raghavendra Tripathi, Adv.
Mr. Sanjai Kumar Pathak, AOR
Mr. Chandrashekhar A. Chakalabbi, Adv.
Mr. Shiv Kumar Pandey, Adv.
Mr. Anshul Rai, Adv.
Mr. Awanish Kumar, AOR

UPON hearing the counsel the Court made the following
O R D E R

The Ld. Advocate, Mr. Amar Nath Gupta, appearing on behalf of Mr. R.P. Goyal, Advocate-on-record submitted that he is representing two respondents in SLP(C) D.No.13901/2017 and he has already served copy of counter affidavit on 17.8.2017. No rejoinder affidavit has been filed. He further submitted that if the petitioner is not interested to

file rejoinder affidavit, he should mention that he does not wish to file rejoinder affidavit.

The Ld. Counsel further submitted that with regard to respondent No.76, according to the University of Delhi, she was in category No.2. On 9.4.2017, the Hon'ble Delhi High Court passed an order that she is in category No.3 not in category No.2. He has given in writing to the University of Delhi that her name may be deleted from the array of parties in category No.2. They have already been given pension, so they are not interested in this matter.

LPA No.667/2014

It is submitted that counter affidavit on behalf of respondent No.84 has been filed by the Ld. Advocate-on-record Ms. Sujeeta Srivastava. But as per office report, counter affidavit has not been filed. She also requested that the matter may be listed before the Hon'ble Court.

The Ld. Counsel for the respondents submitted that they are senior citizens and old pensioners and matter may be listed before the Hon'ble Court for final hearing, as the petitioner is deliberately not serving the unserved respondents.

For default in taking fresh steps, the matter may be listed before the Hon'ble Judge in Chambers for appropriate orders but matters can be listed before the Hon'ble Court only after completion of service and pleadings in all the matters.

D.No.13901/2017

Despite last opportunity, fresh steps for service of respondent No.7 in LPA No.416/2014 have not been taken, as such, Registry to process the matter for listing before the Hon'ble Judge in Chambers for appropriate orders. However, the Ld. Counsel for the petitioner requested to serve the said respondent through dasti notice.

It is submitted that there is an application for deletion of the name of respondent No.64. Registry to do the needful. Application be processed as per rules.

Await orders of the application for deletion of respondent No.21 from the Hon'ble Judge in Chambers.

Diary No(s). 17007/2017

As per track report, respondent No.22 in SLP(C) @ LPA No.647/2014 is shown as unserved. However, the Ld. Advocate, Mr. Chandra Shekhar A.C. submitted that Mr. Awanish Kumar, Ld. Advocate-on-record has already filed vakalatnama on behalf of the said respondent. He further submitted that for some of the respondents counter affidavit has been filed and they adopt the same counter affidavit for all the respondents represented by the Ld. Advocate-on-record, Mr. Awanish Kumar. He further submitted that the matter may be listed before the Hon'ble Court.

As per office report, respondent No.6 in LPA NO.647/2014 has left India. The Ld. Counsel for the petitioner to take fresh steps for service of the said respondent in terms of

the Government's OM No.F.12(77)/10-Judl. dated 18.8.2011 within two weeks as well as for service on the available local address through the concerned High Court. Notice accordingly be issued.

However, the Ld. Advocate, Mr.Amar Nath appearing on behalf of Mr. R.P. Goyal, Advocate-on-record submitted that one more person, Mr.J.P. Mahajan of K.M. College (respondent No.6 in LPA No.647/2014) the report says "left India" but he is in Ghaziabad and he has talked to him. In such cases, it is the job of the University to serve them. If they are not able to serve in any other manner kindly order them to be served through substituted service or petitioner may be directed to delete those respondents, who are not necessary parties.

The Ld. Counsel has further submitted that names of those respondents may also be deleted from the array of parties who are already receiving pension. Lastly, he requested to list the matter before the Hon'ble Court.

Application for deletion filed in respect of respondent No.36 (LPA No.645/2014) and respondent No.12 is found to be defective. Defects be cured within four weeks.

LPA 554/2017

With regard to respondent No.5, the Ld. Counsel for the petitioner requested to serve through dasti notice. However, as per office report, service is complete on the said respondent.

The Ld. Advocate-on-record, Mr.Arjun Harkauli, appearing on behalf of respondent No.26 in LPA No.410/2014 and respondent No.4 in LPA No.554/2014 is granted four weeks' time for filing counter affidavit.

The Ld. Counsels appearing for the served respondents for the first time are granted four weeks' time for filing counter affidavit.

The Ld. Counsels who are already appearing for the served respondents are granted four weeks' time, as last opportunity, for filing counter affidavit.

The Ld. Counsel for the served respondents who were given last opportunity for filing counter affidavit and have not filed counter affidavit, their further opportunity stands declined.

Remaining matters are complete.

List again on 1.8.2018.

KAPIL MEHTA
Registrar
4.5.2018

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