

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.1456 of 2012
WITH
CIVIL APPEAL NOS.2621, 2738 & 3665 OF 2012 AND 5006 OF 2014
AND
SPECIAL LEAVE PETITION © 12004 OF 2014

Cottage Industries Exposition Ltd. & Ors etc.etc. ... Appellants

. Versus-

Union of India & Ors. etc. etc. .. Respondents

OFFICE REPORT

The matters above mentioned were listed before Ld. Registrar on 17.4.2015, when the following order was passed :

C.A. No. 1456/2012

“Spare copies of the petition of appeal have not been filed for issuance of notice to respondent no. 67. Be filed within two weeks.

Certificate of service from the concerned High Court with respect to respondent nos. 54 and 55 is still awaited.

Appellant has also to furnish the better particulars of respondent Nos. 9, 17, 18, 51, 60, 41, 42. Be furnished within two weeks and notices thereafter be issued.

Appellant also to take steps to substitute the legal representatives of deceased respondent no. 57.

C.A.No.2621/2012

Appellant has to furnish the fresh address of respondent nos. 13, 14, 16, 25 to 27, 72, 90, 117, 138, 142, 147, 154, 161,163, 47, 68, 44, 102 and has also to take steps to effect service on respondent nos. 115 to 117 and also on respondent of Govt. O.M. No. 12(77)/10-Judi. dt. 18.8.2011.

Steps for substituting the legal representatives of deceased respondent nos. 15, 73, 88, 89, 98, 134, 137, 139, 141, 145, 152 and 153 have also not been taken. Petitioner to do the needful within three weeks and notices thereafter be issued and application be processed accordingly.

C.A. No. 2738/2012

Letter has been received from the Civil Judge (Sr. Div), Gurgaon about the report that notice has been served on respondent no. 33. Certificate of service is yet to be received from the High Court.

Appellant has to furnish the better particulars of respondent

nos. 5 to 8, 13, 20, 24, 28 and 29. Be furnished within three weeks. Notices thereafter be issued.

C.A. No. 3665/2012

Application for deleting name of respondent no. 7 is still awaited. Be filed within three weeks and be processed as per rules.

Counter affidavit on behalf of respondent nos. 1 to 4 has not come on record despite warning of last opportunity. Further opportunity is hereby declined.

List again on 27.7.2015.”

CIVIL APPEAL NO.1456 OF 2012

It is submitted that Spare copies of the petition of appeal have not been filed for issuance of notice to respondent no. 67.

Certificate of service in respect of Respondent Nos.54 and 55 is still awaited from the High Court.

Counsel for the Appellant has yet not furnished better particulars of Respondent Nos.9, 17, 18, 51, 60, 41 and 42. He has also not filed Application for substitution of legal representatives of deceased Respondent No.57.

CIVIL APPEAL NO.2621 OF 2012

It is submitted that Counsel for the appellant has neither furnished the fresh addresses of Respondent Nos.13, 14, 16, 25 to 27, 72, 90, 117, 138, 142, 147, 154, 161, 163, 47, 68, 44, 102 nor he has not taken steps to effect service on respondent nos.115 to 117 as also on respondent nos.108 and 116 who are residing abroad.

It is further submitted that Counsel for the appellant has not taken steps to substitute the legal representatives of the deceased respondent nos.15, 73, 88, 89, 98, 134, 137, 139, 141, 145, 152 and 153 on record.

Certificate of Service in respect of Respondent Nos.64 and 99 has been received from the High Court. Certificate of Service in respect of Respondent Nos.74 and 75 is still awaited.

CIVIL APPEAL NO.2738 of 2012

It is submitted that Certificate of Service in respect of Respondent No.33 is still awaited from the High Court.

It is further submitted that Counsel for the appellant has not furnished better particulars of respondent Nos.5 to 8, 13, 20, 24, 28 and 29 so far.

CIVIL APPEAL NO.3665 OF 2012

It is submitted that Counsel for the appellant has not filed Application for deletion of the name of Respondent No.7 so far.

It is further submitted that Counsel for Respondent Nos.1 to 4 has not filed counter affidavit so far.

CIVIL APPEAL NO.5006 OF 2014

The matter was listed before Hon'ble Court on 28th April, 2014, when the following order was passed:

“Delay condoned.

Leave granted.

Tag with Civil Appeal No.8390 of 2011.”

It is submitted that notice of lodgment of petition of appeal was issued to all the 146 respondents through High Court of Andhra Pradesh on 13th October, 2014. High Court, vide letter dated 7th February, 2015 informed that service of notice is complete on all the above 146 respondents. It has been further informed by the High Court that Respondent No.6 is non-resident and notice has been served on his father-in-law. Further Respondent Nos.7, 8, 20, 23, 25, 27, 44, 115, 120, 138, 140 and 141 have since been expired and notices have been served upon their son/grand son/wife of the deceased respondents. Accordingly, letter to counsel for the appellant was issued on 17.2.2015 to take necessary steps in respect of deceased respondents but no action has been taken so far.

It is further submitted that Mr. B.K.Prasad, Advocate who filed vakalatnama/appearance on behalf of Respondent Nos.1-3 has also on 29.1.2015 filed counter affidavit. Vakalatnama/Appearance has not been filed on behalf of remaining served respondents.

SLP © NO.12004 OF 2014

The matter was listed before Hon'ble Court on 8th May, 2014, when the Court was pleased to pass the following order:-

“ Issue Notice.

Tag with Civil Appeal No. 8878 of 2011.”

Accordingly Show Cause notice was issued on 19th June, 2014 to all the three respondents by Registered A.D. Post. Mr. B. K. Prasad, Advocate has on 25th August, 2014 filed Vakalatnama/Appearance on behalf of Respondent Nos. 1 and 3 but has not filed Counter Affidavit so far. A.D. Card duly signed has been received back from Respondent No. 2 but no one has filed Vakalatnama/Appearance on behalf of the said Respondent No.

2 so far. Service of notice is complete.

It is further submitted that Mr. S. K. Sabharwal, Advocate for the petitioner has since been expired, Notice of alternative arrangement was issued on 25th July 2015 to petitioner by Registered A.D. Post and his response is awaited.

The Office Report is listed before the Ld. Registrar Court.

Dated this the 18th day of August, 2015.

ASSISTANT REGISTRAR

Copy to:

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ASSISTANT REGISTRAR