

**PETITION FOR SPECIAL LEAVE TO APPEAL CC (C) NOS. 7266,**  
**8202-03, 8298 & 8429-30, OF 2017**  
**(WITH PRAYER FOR INTERIM RELIEF)**

**WITH**

**INTERLOCUTORY APPLICATION NO. 1 of 2017**

(Application for condonation of delay in filing special leave petition in SLP cc (C) No.7266 of 2017)

**WITH**

**INTERLOCUTORY APPLICATION NOS. 1, 1-2, & 1 of 2017**

(Application for permission to file special leave petition in Special Leave Petition CC (C) No.8202-03, 8298 & 8429-30 of 2017 respectively)

**WITH**

**INTERLOCUTORY APPLICATION NO. \_\_\_\_\_**

**(APPLICATION FOR PERMISSION TO APPEAR AND ARGUE IN PERSON)**

**UNION OF INDIA ETC. ETC.**

**...PETITIONERS**

**-VERSUS-**

**MOHD. SALIM & ORS. ETC.**

**...RESPONDENTS**

**OFFICE – REPORT**

**SLP cc (C) No.7266 of 2017**

It is submitted that the Special Leave Petition above-mentioned along with application has been filed by Mr. M.K. Maroria, Advocate against the final order dated 05-12-2016 passed by the High Court of Uttarakhand at Nainital in Writ Petition (PIL) No. 126 OF 2014 and order dated 06-03-2017 passed in Civil Miscellaneous Application No.1921 of 2017 in Writ Petition (PIL) No.126 of 2014.

It is submitted that there is delay of 16 days in filing the instant matter against order dated 5-12-2016 and the counsel for the petitioner has filed application for condonation of delay in filing the special leave petition and the same has been registered as I.A. No.1 of 2017. The petition filed against order dated 06-03-2017 is within time.

It is further submitted that Special Leave Petition (C) No.26359 of 2009 (Main matter SLP (C) No. 17826 of 2009) referred to on Annexure P-3 and P-4 was disposed of by this Hon'ble Court on 12-09-2013 (copy of order dated 12-9-2013 is annexed as annexure P-4 at page nos.121-126).

**SLP cc (C) Nos. 8202-8203 of 2017**

It is submitted that the Special Leave Petitions above-mentioned alongwith application have been filed by Mr. Farukh Rashid, Advocate against the judgment and final order dated 05-12-2016 passed by the High Court of Uttarakhand at Nainital in Writ Petition (PIL) No. 126 OF 2014 and order dated 06-03-2017 passed in Review Application MCC No.1589 of 2017 in Writ Petition (PIL) No.126 of 2014.

It is submitted that there is delay of 24 days in filing the instant matter against order dated 5-12-2016 however, the petition filed against order dated 06-03-2017 is within time.

It is further submitted that the instant matter is tagged with Special Leave Petition CC (C) No.7266 of 2017 as both are arising out of same judgment.

**SLP cc (C) No. 8298 of 2017**

It is submitted that the Special Leave Petition above-mentioned alongwith application has been filed by Mr. Tarun Gupta, Advocate against the judgment and final order dated 05-12-2016 passed by the High Court of Uttarakhand at Nainital in Writ Petition (PIL) No. 126 OF 2014 and order dated 06-03-2017 passed in Review Application MCC No.1340 of 2017 in Writ Petition (PIL) No.126 of 2014.

It is submitted that there is delay of 29 days in filing the instant matter against order dated 05-12-2016 however, the petition filed against order dated 06-03-2017 is within time.

It is further submitted that the same petitioners are already party in Review Application MCC No.1340 of 2017 in Writ Petition (PIL) No.126 of 2014.

It is further submitted that the counsel for the petitioner has given letter dated 13.04.2017 in response to certain defects pointed out by the Registry (copy of the letter dated 13.04.2017 is annexed at page no.728 in the paper books).

It is further submitted that the instant matter is tagged with Special Leave Petition CC (C) No.7266 of 2017 as both are arising out of same judgment.

**SLP cc (C) Nos. 8429-30 of 2017**

It is submitted that the Special Leave Petition above-mentioned alongwith application has been filed by M/s. Lambat & Associates, Advocate against the judgment and final order dated 05-12-2016 passed by the High Court of Uttarakhand at Nainital in Writ Petition (PIL) No. 126 OF 2014 and order dated 06-03-2017 passed in Review Application MCC No.1338 of 2017 in Writ Petition (PIL) No.126 of 2014.

It is submitted that there is delay of 31 days in filing the instant matter against order dated 05-12-2016 however, the Special Leave Petition filed against order dated 06-03-2017 is within time.

It is further submitted that the counsel for the petitioner has given letter dated 13.04.2017 in response to certain defects pointed out by the Registry (copy of the letter dated 13.04.2017 is annexed at page no. 327 in the paper books).

It is further submitted that the instant matter is tagged with Special Leave Petition CC (C) No.7266 of 2017 as both are arising out of same judgment.

It is further submitted that Brahmchari Dayanand has on 20-03-2017 filed caveat along with the application to appear and argue in person but the said caveator-in-person is not party in any of the above-mentioned matters. As per Order IV Rule 1(c), the Registrar (Misc.) has interacted with the caveator-in-person on 22-04-2017 (copy of interaction report dated 22-04-2017 is enclosed herewith).

It is further submitted that counsel for the petitioners has on 19-04-2017 filed proof of service after serving the copy of special leave petitions in all the matters however, caveator-in-person has given a letter dated 19-4-2017 stating therein that in SLP cc (C) Nos.8202-03 and 8298 of 2017, the counsel for the petitioners has served the incomplete set of special leave petition (copy of letter dated 19-04-2017 is enclosed herewith).

It is further submitted that caveator-in-person has on 3-5-2017 filed application for primary submission with annexures along with application for exemption from filing official translation. Since, the caveator-in-person is not a party before this Hon'ble Court and the Hon'ble High Court, the same has not been taken on record and has simply been kept in file.

It is lastly submitted that notice of hearing to caveator-in-person was sent through fax and was also informed telephonically.

The matter along with applications above mentioned is listed before the Hon'ble Court with this office report.

Dated this the 4<sup>th</sup> day of May, 2017.

ASSISTANT REGISTRAR

Copy to:

1. Mr. Vishwajit Singh, Advocate
2. Caveator-in-Person

ASSISTANT REGISTRAR