

LISTED ON : 16.01.2017
COURT NO.: 05
ITEM NO. : 48

SECTION XII-A
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL(C) NOS. 26175, 26310, 26870, 26915, 28253 of 2015, 2568 of 2016, 34936 AND 26740 of 2015

WITH
PRAYER FOR INTERIM RELIEF

AND
INTERLOCUTORY APPLICATION NO.1/2015 IN SLP (C) Nos. 26175, 26310 and 26870 of 2015, 26915, 28253 of 2015 & 2568 of 2016
(Application for exemption from filing certified copy of impugned Judgment)

AND
INTERLOCUTORY APPLICATION NO.2/2015 IN SLP (C) Nos. 26175 & 26310 of 2015
(Application for impleadment)

AND
INTERLOCUTORY APPLICATION NO.3/2015 IN SLP (C) Nos. 26175 of 2015
(Application for directions)

MARPU RAMANARSU ETC.

...PETITIONERS

-VERSUS-

THE STATE OF TELANGANA, REP. BY ITS PRINCIPAL
SECRETARY BACKWARD CLASS WELFARE
DEPARTMENT & ORS.

...RESPONDENTS

OFFICE REPORT

The SLP (C) Nos. 26175 and 26310 of 2015 was listed before the Hon'ble Court on 14th September, 2015, when the Hon'ble Court pleased to pass the following Order:-

"SLP (C) No. 26175/2015

We permit the petitioner, if he so desires to implead the Medical Council of India as one of the respondents.

Issue notice on prayer 'C'.

Shri S. Udaya Kumar Sagar accepts notice on behalf of respondent No. 1.

In the meantime, there shall be interim stay of Prayer '(a)' i.e., operation of final order dated 04.09.2015 passed by the Hon'ble High Court of Judicature at Hyderabad for the State of Telengana and the State of Andhra Pradesh in Writ Petition No.15878 of 2015 qua the petitioner only.

SLP(C) No. 26310/2015

We direct the petitioner to implead the Medical council of India.

Learned counsel for the petitioner is directed to serve a copy of the petitioner on learned counsel for the MCI.

List on 18.09.2015 along with D. No. 30822 & 30823/2015."

Subsequently, the SLP (C) No. 26740 of 2015 was mentioned before the Hon'ble Court on 16th September, 2015, when the Hon'ble Court was pleased to pass the following Order:-

"List on 18.09.2015 before appropriate Bench along with connected matter, SLP (C) No. 26175 of 2015. "

Again, SLP (C) Nos. 26310, 26740, 26870 and 26915 of 2015 were listed before the Hon'ble Court on 18th September, 2015, when the Hon'ble Court was pleased to pass the following Order:-

"We direct the petitioners to implead the Medical council of India as one of the respondents.

Learned counsel for the petitioners is directed to serve a copy of the petitioner on learned counsel for the MCI.

List all the matters on 21.09.2015. "

The matters above-mentioned were listed before the Hon'ble Court on 21st September, 2015 & 24th September, 2015, when the Hon'ble Court was pleased to pass the following Order:-

"SLP(C) No. 26310/2015

List the special leave petition on 24th September, 2015.

SLP(C) Nos. 26870, 26915 and 26740 of 2015

Notice.

Pleading to be completed at the earliest.

List these petitions on a non-miscellaneous day along with SLP(C) No.26175 of 2015."

Subsequently, the matters above-mentioned were listed before the Hon'ble Court on 12th July, 2016, when the Hon'ble Court was pleased to pass the following Order:-

“Heard.

Learned counsel for the respondents pray for and are granted six weeks' time finally to file their respective counter affidavits. Rejoinder affidavit, if any, be filed by the petitioners within four weeks thereafter.”

SLP (C) No. 26175 of 2015:-

It is submitted to the Hon'ble Court that there are six Respondents in the matter above-mentioned. Mr. S. Udaya Kumar Sagar, Advocate has filed Vakalatnama/Appearance on behalf of Respondent Nos. 1 & 2 but has not filed counter affidavit.

Service is complete on Respondent Nos. 3 to 6 as per tracking report of speed post but no one has entered appearance.

Service is complete.

It is further submitted that counsel for the Petitioner has on 23rd September, 2015 filed application for directions and the said application is registered as I.A. No. 3 and placed before Hon'ble Court's kind perusal.

It is further submitted that counsel for the Petitioner has on 15th September, 2015 filed application for impleadment and the same is registered as I.A. No. 2 and is placed before the Hon'ble Court for kind perusal.

It is also submitted that Mr. Gaurav Sharma, Advocate has filed Vakalatnama/Appearance on behalf of proposed impleaded party (i.e. Medical Council of India).

SLP (C) No. 26310 of 2015:-

It is submitted that there are 10 Respondents in the matter. Mr. A. Subba Rao, Advocate has on 15th September, 2015 filed an application for Impleadment to implead MCI as Respondent No. 11 and Mr. Gaurav Sharma, Advocate has filed Vakalatnama/Appearance on behalf of Respondent No. 11 but has not filed counter affidavit so far. Mr. S. Udaya Kumar Sagar, Advocate

has filed caveat on behalf of Respondent Nos. 1 & 4 but not filed counter-affidavit.

It is further submitted that counsel for the Petitioner has on 15th September, 2015 filed application for impleadment and the same is registered as I.A. No. 2 and is placed before the Hon'ble Court for kind perusal.

SLP (C) No. 26870 of 2015:-

It is submitted that there are five Respondents in the matter, show cause notice was issued on 15th February, 2016. Mr. S. Udaya Kumar Sagar, Advocate has filed Vakalatnama/Appearance on behalf of Respondent Nos. 1 & 2 but not filed counter-affidavit on their behalf so far. Mr. Guntur Prabhakar, Advocate has filed vakalatnama/appearance on behalf of Respondent Nos. 3 and 4 but not filed counter affidavit so far. A period of more than thirty days has already elapsed from the date of issue of the notice by registered post, but neither A. D. Card nor unserved registered cover has been received back from the Respondent No. 5 so far. Respondent No. 5 in the instant SLP is common Respondent No. 6 in SLP (C) No. 26175 of 2015.

Service is not complete on Respondent No. 5.

SLP (C) No. 26915 of 2015:-

It is submitted that there are seven Respondents in the matter, show cause notice was issued on 15th February, 2016. Mr. S. Udaya Kumar Sagar, Advocate has filed Vakalatnama/Appearance on behalf of Respondent Nos. 1 & 2 and Mr. Guntur Prabhakar, Advocate has filed vakalatnama/appearance on behalf of Respondent Nos. 3 and 4 but has not filed counter affidavit so far. Service is complete on Respondent No. 6 through AD Card but no one has entered appearance so far. A period of more than thirty days has already elapsed from the date of issue of the notice by registered post, but neither A. D. Card nor unserved registered cover has been received back from the Respondent Nos. 5 & 7 so far. Respondent No. 7 in the instant SLP is common Respondent No. 6 in SLP (C) No. 26175 of 2015.

Service is not complete on Respondent Nos. 5 & 7.

SLP (C) No. 28253 of 2015:-

The matter above-mentioned was listed before the Hon'ble Court on 9th October, 2015, when the Hon'ble Court was pleased to pass the following order :

“Notice.
List his special leave petition along with SLP (C)
No. 26175 of 2015.”

It is submitted that there are two Respondents in the matters. Mr. S. Udaya Kumar Sagar, Advocate has filed Vakalatnama/Appearance on behalf of Respondent Nos. 1 & 2, but he has not filed counter-affidavit so far.

Service is complete.

SLP (C) No. 2568 of 2016:-

The matter above-mentioned was listed before the Hon'ble Court on 27th January, 2016, when the Hon'ble Court was pleased to pass the following Order:-

“Heard
Delay condoned.
Issue Notice.
Tag along with SLP (C) No. 26175 of 2015.”

It is submitted that there are two Respondents. Show Cause Notice was issued to both Respondent on 17th February, 2016. A period of more than thirty days elapsed but neither AD Card nor unserved cover received so far. However, both the Respondents are common in SLP (C) 28253 of 2015 and are represented by Mr. S. Udaya Kumar Sagar, Advocate

SLP (C) No. 34936 of 2015:-

The matter above-mentioned was listed before the Hon'ble Court on 8th April, 2016, when the Hon'ble Court was pleased to pass the following order :

“Issue notice.
Tag with SLP (C) No.26175 of 2015.”

It is submitted that Mr. D. S. Mahra, Advocate has on 27th August, 2016 filed Vakalatnama/ Appearance alongwith Counter affidavit on behalf of Respondent Nos. 9 & 10. Copies of the same have already been included in

the SLP paper-books.

It is submitted that there are 13 Respondents in the matter, show cause notice was issued on 25th April, 2016. Mr. Gaurav Sharma, Advocate has filed vakalatnama/appearance on behalf of Respondent No. 11 but has not filed counter affidavit so far. AD cards received from Respondent Nos. 4 and 8 but no one has entered appearance so far. A period of more than thirty days elapsed from the date of issue of notice by registered post but neither AD cards nor unserved registered covers have been received back from Respondent Nos. 1 to 3, 5 to 7, 12 and 13.

Service is not complete on Respondent Nos. 1 to 3, 5 to 7, 12 and 13.

SLP (C) No. 26740 of 2015:-

It is submitted that there are thirteen Respondents in the matters. Service is complete on Respondent Nos. 1, 4, 6 to 9, 12,13 through AD cards but no one has entered appearance so far. A period of more than thirty days has already elapsed from the date of issue of the notice by registered post, but neither A.D. Card nor unserved registered cover has been received from the Respondent Nos.2, 3, 5, 10, 11 so far.

Service is not complete on Respondent Nos.2, 3, 5, 10 & 11.

The aforesaid matters alongwith applications are listed before the Hon'ble Court with this office report.

Dated this, the 13th day of January, 2017.

ASSISTANT REGISTRAR

Copy to :

1. Mr. D. L. Chidananda, Advocate
2. Mr. S. Udaya Kumar Sagar, Advocate
3. Mr. A. Subba Rao, Advocate
4. Mr. Gaurav Sharma, Advocate
5. Mr. Guntur Prabhakar, Advocate
6. Ms. T. Anamika, Advocate
7. Mr. D. Mahesh Babu, Advocate

ASSISTANT REGISTRAR