

LISTED ON: 09.11.2016

COURT NO:

ITEM NO:

SECTION-IX
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No. 3224 of 2010

WITH

INTERLOCUTORY APPLICATION NO. 10

(Common application on behalf of the parties for bringing on record memorandum of settlement in both the Civil Appeals)

AND

INTERLOCUTORY APPLICATION NO. 13

(Application for seeking permission for bringing additional documents on record in Civil Appeal No. 3224 of 2010)

AND

INTERLOCUTORY APPLICATION NOS. 14 & 15

(Application on behalf of respondent no. 5 for recalling the order dated 01.11.2013 and application on behalf of deleted respondent no. 5 for direction respectively in C.A No. 3224 of 2010 filed by M/s. S. Narain & Co., Advocates)

AND

INTERLOCUTORY APPLICATION NO. 16

(Application on behalf of deleted Respondent No. 5 for withdrawal of I.A No. 14 filed by M/s. S. Narain & Co., Advocates)

AND

INTERLOCUTORY APPLICATION NO. 17

(Application on behalf of deleted Respondent No. 5 for withdrawal of I.A No. 15 of 2014 filed by M/s. S. Narain & Co., Advocates)

AND

INTERLOCUTORY APPLICATION NO. 18

(Application on impleadment filed by Mr. Rajesh Singh, Advocate)

AND

INTERLOCUTORY APPLICATION NO.

(Application for direction filed by Mr. Rajesh Singh, Advocate)

AND

INTERLOCUTORY APPLICATION NO. 19

(Application on impleadment filed by Mr. Rajesh Singh, Advocate)

AND

INTERLOCUTORY APPLICATION NO.

(Application for direction filed by Mr. Rajesh Singh, Advocate)

AND

CIVIL APPEAL No. 3225 of 2010

WITH

INTERLOCUTORY APPLICATION NOS. 11 & 12

(Application on behalf of respondent no. 4 for recalling the order dated 01.11.2013 and application on behalf of deleted respondent no. 4 for direction respectively in C.A No. 3225 of 2010 filed by M/s. Sandeep Narain & Co., Advocates)

AND

INTERLOCUTORY APPLICATION NOS. 13 & 14

(Application on behalf of Respondent No. 4 for withdrawal of I.A No. 11 and application on behalf of deleted respondent no. 4 for withdrawal of I.A No. 12 filed by M/s. S. Narain & Co., Advocates)

AND

INTERLOCUTORY APPLICATION NO. 15

(Application for impleadment filed by Mr. Rajesh Singh, Advocate)

AND

INTERLOCUTORY APPLICATION NO.

(Application for direction filed by Mr. Rajesh Singh, Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 19 & 20

(Application for directions and exemption from filing Official Translation filed by Mr. Prabodh Kumar, Advocate)

AND

INTERLOCUTORY APPLICATION NOS. 21 and 22

(Application for permission to file additional documents and exemption from filing official translation filed by Mr. Prabodh Kumar, Advocate)

AND

CIVIL APPEAL No. 3156 of 2010

WITH

INTERLOCUTORY APPLICATION NOS. 3 & 4

(Applications for dismissing civil appeal as infructuous on behalf of respondent no. 5.3 and exemption from filing official translation filed by Ms. Archana Pathak, Advocate)

JAYANTIBHAI RAMDAS PATEL ETC ETC

...APPELLANTS

-VERSUS-

STATE OF GUJARAT & ORS. ETC ETC

...RESPONDENTS

OFFICE REPORT

An application for recalling the order dated 01.11.2013 filed on behalf of the deleted Respondent No. 4 in C.A No. 3225 of 2010 and deleted Respondent No. 5 in C.A No. 3224 of 2010 alongwith connected Interlocutory Applications were listed before the Hon'ble Court on 01.09.2014 when the Court was pleased to pass the

following order:

"List all the pending interlocutory applications along with the main matter for hearing."

The Interlocutory Application No. 22 of 2016 (for recalling of Court's Order dated 01.11.2013) in Civil Appeal No. 3224 of 2010 and Interlocutory Application No. 18 of 2016 (for recalling of Court's Order dated 01.11.2013) in Civil Appeal No. 3225 of 2010 filed by the Advocate for the appellant was listed before the Hon'ble Court on 25.07.2016 when the Court was pleased to pass the following order:

"Heard.

Our Order dated 1st November, 2013 deleting respondent no.5 in Civil Appeal No.3224 of 2010 and respondent no.4 in Civil Appeal No.3225 of 2010 is recalled. It is noteworthy that the respondents have already entered appearance through their respective counsel. No fresh notice therefore be issued.

I.A. NO.22 of 2016 in C.A. No.3224 of 2010 and I.A. No.18 of 2016 in C.A.No.3225 of 2010 are allowed to that extent and disposed of."

Lastly the Interlocutory Application Nos. 19-20 (application for directions) in C.A No. 3225 of 2010 above-mentioned was listed before the Hon'ble Court on 30.09.2016 when the Court was pleased to pass the following Order:

"Instead of hearing and deciding the present I.As., we are of the view that it would be more appropriate to hear the Civil Appeal itself particularly as the Civil Appeal is of the year 2010. Accordingly, we direct the Registry of this Court to list the same for hearing on a regular hearing day in the month of November, 2016."

Civil Appeal No. 3224 of 2010

It is submitted to the Hon'ble Court that there are 8 respondents in this matter. Respondent Nos. 1 & 2 are represented through Ms. Hemantika Wahi, Advocate. Respondent Nos. 3 & 4 are represented through Mr. Nikhil Goel, Advocate. Respondent Nos. 5, 6-7 and 8 are represented through Ms. Archana Pathak, Manisha T. Karia and Mr. L.R Singh, Advocates respectively.

Service is complete.

Civil Appeal No. 3225 of 2010

It is submitted that there are 7 respondents. Respondent Nos. 4, 5 and 6 & 7 are represented through Mr. Prabodh Kumar, Mr. Santosh Krishnan, Ms. Manisha T. Karia, Advocates respectively. Service of notice of lodgment of petition of appeal is complete on respondent nos. 1 to 3 through High Court but no one has entered appearance on their behalf so far.

Service is complete.

Civil Appeal No. 3156 of 2010

The matter above-mentioned was listed before the Hon'ble Judge in Chambers on 25.11.2014 when His Lordship was pleased to pass the following Order:

"As a last chance the appellants are allowed two weeks' time to take steps in respect of deceased respondent Nos.5 and (5.1)."

It is submitted that there are 6 respondents i.e. Respondent Nos. 1-4, 5.1 to 5.8 and 6. Respondent Nos. 1-3 are represented through Ms. Hemantika Wahi, Advocate. Respondent No. 5.3 is represented through Ms. Archana Pathak, Advocate. Service of notice of lodgment of petition of appeal is complete on respondent nos. 4, 5.2, 5.4 to 5.8 through High Court but no one has entered appearance on their behalf so far. Respondent No. 5.1 has expired and the counsel for the appellant has not taken any steps to bring on record the Lrs. of deceased respondent No. 5.1 so far.

It is further submitted that Ms. Archana Pathak, Advocate for Respondent No. 5.3 has filed application for dismissing Civil Appeal as infructuous and exemption from filing official translation of annexures and the same is registered as Interlocutory Application Nos. 3 and 4 and the same is being circulated before the Hon'ble Court.

Service is incomplete.

The matters above-mentioned along with applications are listed before the

Hon'ble Court with this office report.

Dated this the 08th day of November, 2016.

ASSISTANT REGISTRAR

Copy to:

Mr. Santosh Krishnan, Advocate

Mr. Nikhil Goel, Advocate

Ms. Manisha T. Karia, Advocate

Ms. Archana Pathak, Advocate

Ms. Hemantika Wahi, Advocate

Mr. Prabodh Kumar, Advocate

Mr. Rajesh Singh, Advocate

ASSISTANT REGISTRAR