

LISTING ON 27.02.2017
COURT NO. 4
ITEM NO. 6

SEC.IV-A

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 1684 OF 2017
WITH PRAYER FOR INTERIM RELIEF

AND

INTERLOCUTARY APPLICATION NO. 2

(Application for Impleadment as party respondent filed by Mr. Jayant Mohan, Advocate)

AND

INTERLOCUTARY APPLICATION NO.

(Application for Impleadment as party respondent filed by Mrs. Anjani Aiyagari, Advocate)

DHRUVDESH METASTEEL PVT. LTD.

...PETITIONER

-VERSUS-

KIOCL LTD AND ORS.

...RESPONDENTS

OFFICE REPORT

The matter above mentioned was listed before the Hon'ble Court on 11.01.2017, when the Court was pleased to pass the following Order:

“Permission to file SLP granted.

Issue notice returnable in four weeks.

In the meanwhile, there shall be a stay of the operation of the impugned judgment and order dated 14.12.2016 passed by the High Court of Karnataka at Bengaluru.

Dasti, in addition, is permitted.”

Accordingly, show cause notice returnable for 27.02.2017 was issued to all Respondent Nos. 1-5 on 25.01.2017 through Regd. A.D. Post and Dasti in addition issued to the Counsel for the Petitioner for effecting service on Respondents. Mr. Ankur S. Kulkarni and Mr. V.N. Raghupathy, Advocates have filed Vakalatnama/Memo of Appearance on behalf of Respondent Nos. 1 and 2 respectively, but have not filed Counter Affidavit on their behalf so far. M/s. Lawyers Knit & Co., Advocates have filed Vakalatnama/Memo of Appearance and counter affidavit on behalf of respondent no. 5. Counter Affidavit has been included in the paper books. Mr. V. Shyamohan, Advocate has on 23.02.2017 filed Vakalatnama/Memo of Appearance on behalf of respondent no. 4, but has not filed counter affidavit so far. As per Tracking Report of India Post notice has been

served on respondent no. 3 (Copy of Tracking Report is enclosed), but no one has entered appearance so far.

Service of show cause notice is complete.

It is submitted that counsel for the petitioner has not filed affidavit with proof of dasti service so far.

It is further submitted that Mr. Jayant Mohan, Advocate has on 20.02.2017 filed application for Impleadment as party respondent on behalf of one applicant with Vakalatnama/Memo of Appearance. The same is registered as I.A. No. 2. Copy of the same is being circulated for perusal of the Hon'ble Court.

It is further submitted that Mrs. Anjani Aiyagari, Advocate has on 20.02.2017 filed an application for impleadment as party respondent on behalf of one applicant with Vakalatnama/Memo of Appearance, but the same is defective for the following reasons:

1. Annexure A-4 (The True copy of the order dated 10.04.2003 passed by this Hon'ble Court in SLP(C) Nos. 6994-6997/2013 mentioned at page no. 48 has not been filed.
2. Copy has not been served to Mr. V.N. Raghupathy, Advocate for respondent no. 2.
3. The signature of the Executant/Applicant on Vakalatnama neither decipherable nor it contains the stamp of the company on the Vakalatnama/Memo of Appearance.

The Counsel has not cured the said defects, so far despite letter dated 23.02.2017. Therefore, name of advocate for impleading party/applicant has not been updated in the data computer. Since, the matter is on board the defective unregistered application for impleadment is being circulated herewith.

The matter alongwith application above mentioned is, listed before the Hon'ble Court with this Office Report.

Dated this the 25th day of February, 2017.

ASSISTANT REGISTRAR

Copy to:

Mr. Ramesh Babu M.P., Advocate
M/s. Lawyers S. Knit & Co., Advocates
Mr. V.N. Raghupathy, Advocate
MR. Jayant Mohan, Advocate
Mr. Ankur S. Kulkarni, Advocate
Mrs. Anjani Aiyagari, Advocate
Mr. V. Shyamohan, Advocate

ASSISTANT REGISTRAR

-RJ