

SECTION-IIIB

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 9021, 9023, 9024, 9025, 9026, 9030, 9032 & 11358
OF 2011, 2621 OF 2012 AND 11109 OF 2016

CROWN INN PVT.LTD. & ORS. ETC. ETC.

Appellant(s)

VERSUS

UNION OF INDIA & ORS. ETC. ETC.

Respondent(s)

OFFICE REPORT

The matters above-mentioned (except Civil Appeal No. 11109 of 2016) were listed before the Ld. Registrar Court on 3rd January, 2017, when the following order was passed:

“C.A. No. 9021/2011

Ld. Counsel for the petitioner to furnish fresh address within two weeks time to effect service on respondent nos. 6,14 and 19 as last opportunity. Notices thereafter be issued.

C.A. No. 9023/2011

Await appearance of the appellant. Reminder be issued.

C.A. No. 9024/2011

Despite last opportunity having been granted, respondent no.41 has not filed counter affidavit, as such, further opportunity is declined.

Await certificate of service in respect of respondent nos. 1-40 and 42 to 53. Reminder be issued.

C.A. No. 9025/2011

Despite last opportunity having been granted, respondent nos. 1 to 5 have not filed counter affidavit, as such, further opportunity is declined.

Ld. Counsel for the petitioner to furnish fresh address within two weeks time to effect service on respondent no.6, as last opportunity. Notice thereafter be issued.

C.A. No. 9026/2011

Await certificate of service from the High Court in respect of respondent nos. 1 to 20. Reminder be issued.

C.A. No. 9030/2011

Despite last opportunity having been granted, respondent nos. 1 to 4 have not filed counter affidavit, as such, further opportunity is declined.

Last opportunity of two weeks is granted to the ld. Counsel for the petitioner for filing spare copies alongwith address of respondent nos. 7,9,17 and 25. Notice thereafter be issued to respondent nos. 7,9,11,14,17,18,25,26 and 30.

C.A. No. 9032/2011

None appears for respondent nos. 6-16, 18, 19, 21-23, 28, 29, 31, 32, 34-37, 41-46, 51-53, 56-64, 68, 70, 72-78, 80, 81, 83-116.

Ld. Counsel for the petitioner to take fresh steps alongwith fresh address of respondent nos. 20, 24, 25, 30, 33, 38-40, 47-50, 55, 65-67, 69, 71, 79 within two weeks time and notices thereafter be issued.

C.A. No. 11358/2011

Despite last opportunity having been granted, respondent nos. 1 to 4 have not filed counter affidavit, as such, further opportunity is declined.

Ld. Counsel for the petitioner to furnish fresh address alongwith spare copies in respect of respondent nos.7 to 9, 14 and 19 within two weeks time and notices thereafter be issued.

None appears for the remaining respondents despite due service.

C.A. No. 2621/2012

Respondent nos. 1 to 3 have already filed counter affidavit.

Ld. Counsel for the petitioner to take fresh steps to effect service on respondent nos.13-16,25-27,44,47, 68, 72-75, 88-90, 98, 102, 134, 137-139, 141, 142, 145, 147, 152-154, 161,163 within two weeks time as last opportunity. Notice thereafter be issued.

Ld. Counsel for the petitioner to take fresh steps to effect service on respondent nos. 108, 115 to 117 within three weeks time. Notices thereafter be issued in terms of Government O.M. No.12(77)/10-Judl. dt.18.8.2011.

None appears for the remaining respondents despite due service."

Civil Appeal No. 9021 of 2011

It is submitted that there are 19 respondents in the matter. Mr. B.K. Prasad, Advocate has filed vakalatnama/appearance on behalf of respondent nos. 1 to 5. Service is complete on respondent nos. 7 to 13, 15 to 18 through certificate of service, but no one has entered appearance so far. Counsel for the appellant has not furnished fresh address of respondent nos. 6, 14 and 19 so far. Hence notice could not be issued.

Service is not complete on respondent nos. 6, 14, and 19.

Civil Appeal No. 9023 of 2011

It is submitted that Mr. M.P. Jha, Counsel for the Appellants has expired. A notice for alternative arrangement has already been issued to the appellants on 02.06.2016 but no one has entered appearance so far. A reminder to the High Court was issued to 11th February, 2017 and Certificate of Service in respect of respondent nos. 1 to 24 is awaited.

Service is not complete.

Civil Appeal No. 9024 of 2011

It is submitted that there are 53 respondents in the matter. Mr. Krishnan Kumar Advocate has filed vakalatnama/appearance on behalf of respondent no. 41 but he has not filed counter affidavit despite last opportunity granted.

A reminder to was issued to the High Court of Judicature at Bombay on 11th February, 2017 and Service is awaited in respect of respondent nos. 1 to 40, 42 to 53.

Service is not complete on respondent nos. 1 to 40, 42 to 53.

Civil Appeal No. 9025 of 2011

It is submitted that there are 8 respondents in the matter. Mr. B.K. Prasad, Advocate has filed vakalatnama/appearance on behalf of respondent nos. 1 to 5 but he has not filed counter affidavit despite last opportunity granted. Service is complete on respondent nos. 7 and 8 through certificate of service, but no one has entered appearance so far. Counsel for the appellant has not furnished fresh address of respondent nos. 6 so far. Hence notice could not be issued to respondent no.6.

Service is not complete on respondent no. 6.

Civil Appeal No. 9026 of 2011

It is submitted that a reminder was issued to High Court, Bombay on 11th February, 2017 requesting therein to send certificate of service in respect of respondent nos. 1 to 20 and service is awaited.

Service is not complete on respondent nos. 1 to 20.

Civil Appeal 9030 of 2011

It is submitted that there are 30 respondents in the matter. Mr. B. K. Prasad and Mr. Pankaj Gupta, Advocates have filed vakalatnama/appearance on behalf of respondent no. 1 to 3 and 4 respectively but they have not filed Counter Affidavit despite last opportunity granted. Service of Lodgment of Petition of Appeal is complete in respect of Respondent nos. 5,6, 8, 10, 12, 13, 15, 16, 19 to 24, 27 to 29 through certificate of Service , but no one has entered appearance so far.

It is further submitted that Counsel for the Appellant has on 10th February, 2017 filed fresh address in respect of respondent nos. 7, 9, 17 and 25 and also filed four spare copies which are less by 5 nos. of spare copies. Hence notice could not be issued in respect of respondent nos. 7, 9, 11, 14, 17, 18, 25, 26 and 30.

Service is not complete on respondent nos. 7, 9, 11, 14, 17, 18, 25, 26 & 30.

Civil Appeal No. 9032 of 2011

It is submitted that there are 116 respondents in the matter. Respondent nos. 1 to 5 are represented by counsel and Counter Affidavit has also been filed.

It is further submitted that notice has been served upon respondent nos. 6-16, 18-19, 21-23, 28-29, 31-32, 34-37, 41-46, 51-53, 56-64, 68, 70, 72-78, 80-81, 83-116 but no one has entered appearance so far. Counsel for the appellant has not taken fresh steps in respect of respondent nos. 17, 20, 24, 25, 30, 33, 38 to 40, 47 to 50, 54, 55, 65 to 67, 69, 71, 79 and 82 so far. Hence Notice could not be issued.

Civil Appeal No. 11358 of 2011

It is submitted that there are 21 respondents in this appeal. Service of Notice of Lodgment of Petition of Appeal is complete on all the respondents except respondent nos. 7 to 9, 14 & 19. Mr. B.K. Prasad, Advocate has not filed Counter Affidavit on behalf of respondent nos. 1 to 4 and last opportunity is declined. Certificate of service has been received from the High Court in respect of respondent nos. 5, 6, 10 to 13, 15 to 18, 20 and 21 but no one has filed Vakalatnama/Appearance on their behalf.

It is further submitted that the counsel for the appellant has not filed fresh and complete address in respect of respondent nos. 7 to 9, 14 and 19 alongwith copies of Petition of Appeal. Hence Notice could not be issued.

Civil Appeal 2621 of 2012

It is submitted that respondent nos. 1-3 and 92 are represented through their counsel and Counter Affidavit has also been filed in respect of respondent nos. 1-3.

It is further submitted that service is complete in respect of respondent nos. 4-12, 17-24, 28-43, 45-46, 48-67, 69-71, 76-87, 91, 93-97, 99-101, 103-107, 109-114, 118-133, 135-136, 140, 143,-144, 146, 148-151, 155 to 160 and 162 but no one has entered appearance so far.

It is further submitted that Counsel for the appellant has not furnished fresh address of unserved respondent no. 13-16, 25 to 27, 44, 47, 68, 72-75, 88-90, 98, 102, 115-117, 134, 137-139, 141-142, 145, 147, 152-154, 161, 163, and also not taken steps in accordance with the government O.M. No. 12 (77)/10 Judl. Dated 18-8-2011 to effect service on respondent nos. 108 and 115 to 117 who are residing abroad so far and appeal has been disposed of against them *vide* Order dated 22.08.2016.

CIVIL APPEAL NO. 11109 OF 2016

The matter above-mentioned was listed before the Hon'ble Court on 15th November, 2016 when the Court was pleased to pass the following Order:

“Delay condoned.

Leave granted.

To be heard along with Civil Appeal No. 5690 of 2012.”

It is submitted that Notice of Lodgement of Petition of Appeal was issued on 9th December, 2016 to all the three respondents in the matter.

Certificate of Service has been received in respect of all the respondents from the concerned High Court but no one has entered appearance so far. Counsel for the Appellant has not filed Statement of Case so far. Time for filing the same has been expired. Counsel for the Appellant has also not filed Affidavit of Valuation so far.

Service is Complete.

The matters above-mentioned are listed before the Ld. Registrar Court with this office report.

Dated this the 13th day of February, 2017.

ASSISTANT REGISTRAR

Copy to:

1. Mr. Mushtaq Ahmad, Advocate
161/52, 3rd Floor, Flat No.8, Jogabai, Jamia Nagar, New Delhi-110 025
2. Mr. B.K.Prasad, Advocate,
Central Agency Section.
3. Mr. Tarun Johri, Advocate,
304, 3rd Floor, Somdutt Chamber,
9, Bhikaji Cama Place, New Delhi
4. Mr. Sanjay Kumar Visen, Advocate,
D-28 (L.G.F.), Jangpura Extn. , New Delhi-110 014
5. Mr. Nilofar Qureshi, Advocate
G-20, Vardhman City II Plaza, Asaf Ali Road, New Delhi-110 002
6. Dr. Kailash Chand, Advocate,
Library 2, Supreme Court,
7. Mr. Rabin Majumdar, Advocate
55, Old Lawyers Chambers

ASSISTANT REGISTRAR

pc-2