

LISTED ON: 23.11.2016

COURT NO: 11

ITEM NO: 104

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

CIVIL APPEAL Nos. 3023-39, 3040-48, 3049-3057 and 3058-3074 of 2016

WITH

CIVIL APPEAL Nos. 6636, 9865-9866 and 10367-10393 of 2016

WITH

INTERLOCUTORY APPLICATION NO. 1

(Application for Intervention in C.A No. 3023 of 2016)

WITH

SARDAR SAROVAR NARMADA NIGAM LTD.

...APPELLANT

-VERSUS-

KALYAN JANTA SAHAKARI BANK LTD. AND ANR ETC ETC

...RESPONDENTS

OFFICE REPORT

The matters except C.A. Nos. 10367-10393 of 2016 above-mentioned were listed before the Hon'ble Court on 20th October, 2016, when the Court was pleased to pass the following order:

"It appears that service is incomplete in connected matters. Four weeks' time is granted to take steps to serve all the unserved respondents. List after four weeks."

The service position of the above-mentioned matters are given below:

C.A. Nos. 3023-3039 of 2016

It is submitted that service is complete in C.A. Nos. 3023, 3024, 3026, 3027, 3028, 3029, 3030, 3031, 3033 and 3039 of 2016.

It is further submitted that certificate of service in respect of Respondent No. 1 in C.A. 3025 and 3032 of 2016, Respondent No. 3 in C.A. No. 3034/2016, Respondent Nos. 1 and 5 in C.A. No. 3035/2016, Respondent NO. 5 in C.A 3036/2016, Respondent Nos. 2, 3, & 5 in C.A. No. 3037/2016 and Respondent Nos. 1 to 4, 8 and 9 in C.A. No.

3038/2016 is still awaited from the High Court.

C.A. Nos. 3040-3048 of 2016

It is submitted that service is complete in C.A. No. 3040, 3042 and 3045 of 2016.

It is further submitted that certificate of service in respect of Respondent No. 1 in C.A. 3041/2016, Respondent Nos. 1 and 2 in C.A. No. 3046/2016, Respondent No. 3 in C.A. 3047/2016 and Respondent Nos. 1, 2 and 4 in C.A. No. 3048/2016 is still awaited from the High Court.

It is further submitted that Respondent No. 1 in C.A. No. 3043 and Respondent No. 2 in C.A. No. 3044/2016 (common in both the matters) has expired as per service report and counsel for the Appellant has not taken any steps in respect of deceased respondent despite this registry's letter dated 19th September, 2016.

It is further submitted that Mr. Rashmikumar M. Vithani, Advocate has filed counter affidavit on behalf of Respondent no. 1-2 in C.A. No. 3040 of 2016, but copy of the same has not been served on other side. However, the counter affidavit is being circulated before the Hon'ble Court for kind perusal.

C.A. Nos. 3049-3057 of 2016

It is submitted that service is complete in C.A. Nos. 3049 and 3051 of 2016.

It is further submitted that certificate of service in respect of Respondent No. 1 in C.A. 3050, Respondent Nos.1-2 in C.A. No. 3052 and 3053/2016, Respondent Nos. 1-3 in C.A. No. 3054/2016, Respondent No. 3 in C.A. 3055/2016, Respondent No. 4 in C.A. No. 3056/2016 and Respondent No. 2 in C.A. No. 3057/2016 is still awaited from the High Court.

It is further submitted that Mr. Rashmikumar M. Vithani, Advocate has filed counter affidavit on behalf of Respondent no. 1-2 in C.A. No. 3049 of 2016, but copy of the same has not been served on other side. However, the counter affidavit is being circulated before the Hon'ble Court for kind perusal.

C.A. Nos. 3058-3074 of 2016

It is submitted that there are 61 respondents in these matters. Respondent No. 1 in C.A. No. 3058, 3059, 3069 and 3072/2016 are represented by M/s. Sumita Ray, Vikas Mehta, Anup Jain and Rajeev Singh, Advocates respectively.

It is further submitted that certificate of service in respect of rest of the respondents is still awaited.

However, service in respect of some of the respondents is complete in connected C.A. Nos. 3023-3039 of 2016.

C.A. NO. 6636 of 2016

It is submitted that there are three respondents in Civil Appeal No. 6636 of 2016.

Certificate of Service has been received in respect of Respondent No. 2 from the High Court, but no one has entered appearance, so far on behalf of Respondent No. 2.

It is submitted that Certificate of Service is awaited from the High Court in respect of Respondent Nos. 1 and 3. However, Respondent No. 1 is Appellant in connected matter, i.e. C.A Nos. 3058-3074 of 2016 and represented by Ms. Hemantika Wahi, Advocate and Respondent No. 3 in C.A. 6636/2016 is represented by Ms. Sumita Ray, Advocate in connected matters, i.e. C.A Nos. 3058-3074 of 2016, but no vakalatnama/memo of appearance has been filed in the instant matter.

C.A. NOs. 9865-9866 of 2016

It is submitted that there are three common respondents in the matters above-mentioned. Notice of Lodgment of petition of appeal is yet to be issued.

Certificate of Service is awaited from the High Court.

However, Respondent No. 1 to 3 are common as in connected matter, i.e. C.A. 3023-3039/2016 are represented by their respective counsel.

C.A. NOs. 10367-10393 of 2016

The CC Nos. 19357-19361 of 2016 were listed before the Hon'ble Court on 21st October, 2016, when the Court was pleased to pass the following Order:

"Heard.

Permission to file SLPs is granted.

Delay condoned.

Leave granted.

Tag with SLP (C) Nos. 6570-6586 of 2016."

It is submitted that there are three respondents in C.A. Nos. 10367 to 10377/2016, 10383, 10388 and 10390/2016 , four Respondents in C.A. Nos. 10378, 10384, 10389 and 10391 to 10393/2016, five respondents in C.A. Nos. 10379, 10380, 10385 to 10387/2016, six respondents in C.A. No. 10381 and nine respondents in C.A. No. 10382/2016. Notice of Lodgment of petition of appeal is yet to be issued.

The appeals above-mentioned are listed before the Hon'ble Court with the report.

Dated this the 22nd day of November, 2016.

ASSISTANT REGISTRAR

Copy to:

Mr. E.C Agarwala, Advocate
Ms. Hemantika Wahi, Advocate
Ms. Abha R. Sharma, Advocate
Ms. Sumita Ray, Advocate
Mr. Vikas Mehta, Advocate
Mr. Rajeev Singh, Advocate
Mr. Anup Jain, Advocate
Mr. B.K Satija, Advocate
Mr. O.P Gaggar, Advocate
Mr. Rashmikumar M. Vithani, Advocate
Mr. Mohinder Jit Singh Rupal, Advocate
Mr. Bhargava V. Desai, Advocate

ASSISTANT REGISTRAR