

SECTION XI
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

LISTED ON: 31.10.2014
Court No. 1
Item No. 13

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL) NO. 14314, 11959, 14262 & 12470 OF 2014

WITH PRAYER FOR INTERIM RELIEF

AND

INTERLOCUTORY APPLICATION NO.3

(Application for impleadment in SLP No. 11959/14)

AND

INTERLOCUTORY APPLICATION NO.4

(Application for permission to file additional documents in SLP No. 11959/14)

AND

INTERLOCUTORY APPLICATION NO.5

(Application for exemption from filing Official Translation in SLP No. 11959/14)

AND

INTERLOCUTORY APPLICATION NO.2

(Application for intervention in SLP No. 12470/14)

DHIRENDER SHARMA & ORS.

...PETITIONER(s)

VERSUS

EMERALD COURT OWNER RESIDENT
WELFARE ASSOCIATION & ORS.

...RESPONDENT(s)

OFFICE REPORT

The matters above mentioned were listed before the Hon'ble Court on 21.07.2014 with an office report dated 19.07.2014 when the Court was pleased to pass the following order:

“As per Office Report dated 19.7.2014, service of notice on respondent Nos. 2, 4 & 5 in SLP (C) Nos. 11959 and 12470 of 2014 is incomplete.

Advocates-on-record for the petitioners in the above special leave petitions are directed to take fresh steps for service on the unserved respondents, returnable in ten weeks.

Dasti, in addition to the ordinary process, is permitted.

The petitioners in SLP (C) Nos. 14314 and 14262, 11959 and 12470 of 2014 may file rejoinder-affidavit to the counter-affidavit filed by the respondent No. 1 within four weeks.”

SLP (C) Nos. 14314 & 14262/14

There are 6 (common) respondents in both the SLPs. Ms. Bina Gupta, Advocate has filed vakalatnama and memo of appearance & counter affidavit on behalf of

...2/-

Respondent No.1. M/s. Ravindra Kumar, R. Chandrachud & R.P. Mehrotra, Advocates have filed vakalatnama and memo of appearance on behalf of Respondent Nos. 3, 6 & 4 respectively, but they have not filed Counter Affidavit so far.

It is submitted that Mr. Milind Kumar, Advocate has filed vakalatnama and memo of appearance on behalf of Respondent No.1 after obtaining NOC from Ms. Bina Gupta, Advocate.

It is further submitted that the counsel for the petitioner has filed affidavit of dasti service with proof of service on behalf of Respondent Nos. 2 & 5 stating therein that the notice has been served on the said respondents.

Hence, service of show cause notice on all the respondents is complete in both the matters.

SLP (C) No. 11959/14

There are 5 respondents in the matter. Mr. Ravindra Kumar, Advocate has filed vakalatnama and memo of appearance on behalf of Respondent No.3, but has not filed Counter Affidavit on his behalf. Ms. Bina Gupta, Advocate/Caveator on behalf of Respondent No.1 and has also filed Counter Affidavit and the same has been included in the Paper Books. Mr. R.P. Mehrotra, Advocate has filed vakalatnama and memo of appearance on behalf of Respondent No.4 but has not filed Counter Affidavit on his behalf.

It is submitted that Mr. Milind Kumar, Advocate has filed vakalatnama and memo of appearance on behalf of Respondent No.1 after obtaining NOC from Ms. Bina Gupta, Advocate.

It is further submitted that Counsel for the Petitioner' has filed Affidavit of dasti service on behalf of Respondent Nos. 2 & 5 stating therein that the notice has been served on the said respondents.

Hence, service of show cause notice is complete on all the respondents.

It is further submitted that Counsel for the Petitioner has on 17.10.2014 filed Rejoinder Affidavit to the Counter Affidavit of Respondent No.1 alongwith applications for permission to file additional documents & for exemption from filing Official Translation and the same has been registered as Interlocutory Application Nos. 4 & 5 and the same is being circulated to the Hon'ble Court.

...3/-

It is further submitted that Mr. R. Chandrachud, Advocate has filed application for impleadment and the same was registered as Interlocutory Application No.3 and listed before the Hon'ble Judge in Chamber on 19.09.2014 when the following order was passed:

“None present for the applicant.
This is an application by a third party to be impleaded
in SLP (C) NO. 11959/2014.
List before the Court. ”

SLP (C) No. 12470/14

There are 5 respondents in the matter. Ms. Bina Gupta, Advocate has filed vakalatnama and memo of appearance & Counter Affidavit on behalf of respondent no.1 and the same has been included in the Paper Books. Mr. Ravindra Kumar, Advocate has filed vakalatnama and memo of appearance on behalf of respondent no.3 (common in SLP Nos. 11959 & 12470/14) only in SLP No. 11959/14 and Mr. R. Chandrachud & Mr. R.P. Mehrotra, Advocates have filed vakalatnama and memo of appearance on behalf of Respondent Nos. 4 & 2 respectively, but they have not filed counter affidavit on their behalf.

Service of show cause notice is not complete on respondent no.5.

It is submitted that Ms. Kamini Jaiswal, Advocate has filed application for Intervention and the same has been registered as Interlocutory Application No.2 and is being circulated to the Hon'ble Court.

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

Dated this the 30th day of October, 2014.

ASSISTANT REGISTRAR

Copy to:

Mr. T. V. S. Raghavendra Sreyas, Advocate
Mr. Milind Kumar, Advocate
Mr. R. Chandrachud, Advocate
Ms. Bina Gupta, Advocate
Mr. Ravindra Kumar, Advocate
Mr. R.P. Mehrotra, Advocate
Mr. Vishwa Pal Singh, Advocate
Mr. Tarun Gupta, Advocate
Mr. Somiran Sharma, Advocate
Ms. Kamini Jaiswal, Advocate

ASSISTANT REGISTRAR

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