

SECTION XIA
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL Nos. 7573 & 7574 OF 2011.

R.B.I.

...Appellant

Versus

Sarat Chandra Balabantray & Ors

...Respondents

OFFICE REPORT

Civil Appeal No. 7573 of 2011

This is an appeal by Special Leave filed against the Judgment and Order dated 12th July, 2011 of the High Court of Orissa at Cuttack in MC No. 7134 of 2011 in WP No. 12210 of 2011.

Service of Notice of Lodgement of petition of appeal is complete.

Original record has been received from the High Court.

It is submitted that Counsel for the appellant and for appearing Respondents have not filed statement of case so far and as per proviso Rule 32(2) of Order XIX of new SCR 2013 read as , “if the appellant does not file a statement of case within the time, as provided for in sub rule (1), it shall be presumed that the appellant has adopted the list of dates/synopsis containing chronology of events as filed at the time of presentation of petition for seeking special leave to appeal (SLP)/Appeal, as statement of case, and does not desire to file any further statement of case”. “Provided that where a respondent, who has entered appearance, does not file a statement of case within the time, as provided in sub-rule (1), it shall be presumed that the respondent does not desire to lodge statement of case in the appeal.”

Civil Appeal No. 7574 of 2011

This is an appeal by Special Leave filed against the Judgment and Order dated 16th July, 2011 of the High Court of Orissa at Cuttack in MC No. 18628 of 2010 in WP (C) No. 20095 of 2010.

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It is submitted that original record has been received from High Court.

It is further submitted that certified service has been received from High Court that Respondent No. 1 in C.A. No. 7574 of 2011 has been expired and counsel for appellant has not taken steps to bring on record Lrs. of deceased Respondent no. 1 in C.A. No. 7574 of 2011.

The Service is not complete on Respondent No. 1 in C.A No. 7574 of 2011.

The matters above mentioned are listed before the Ld. Registrar for pre-final hearing under order V Rule (1) (30) SCR 2013.

Dated this the 11th day of November, 2014.

ASSISTANT REGISTRAR

Copy to :

Mr. H.S. Parihar, Adv.

Mr. Kirti Renu Mishra, Adv.

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ASSISTANT REGISTRAR