

SECTION XVI

LISTED ON: 04.11.2015

COURT NO.: 3

ITEM NO. : 7

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

**PETITIONS FOR SPECIAL LEAVE TO APPEAL (C) NOS. 15006, 16648, 16727, 21854 and 27815-16 of 2015**

(With Prayer for Interim Relief)

WITH

**INTERLOCUTORY APPLICATION NO ...**

(Application for intervention in SLP(C) 15006/2015 filed by  
M/s. BK Srivastava and Santosh Tripathi, Advocates)

BIJENDRA KUMAR SINGH & ORS. ETC.

...PETITIONERS

VERSUS

STATE OF BIHAR & ORS.

...RESPONDENTS

**OFFICE REPORT**

The matters above-mentioned were listed before the Hon'ble Court on 12.08.2015 when the Court was pleased to pass the following order:-

**"S.L.P.(C)...CC No. 14716-14717 of 2015**

**Delay condoned.**

**Issue notice through Speed Post, returnable in the month of November, 2015.**

**Mr. Gopal Singh, learned counsel, accepts notice on behalf of the State of Bihar.**

**As requested, the learned counsel for the petitioner is permitted to make correction in the plaint/annexures.**

**Counter Affidavit be filed in all the matters within four weeks.**

**Rejoinder Affidavit, if any, be filed in all the matters within four weeks thereafter.**

**List all the matters in the month of November, 2015 for final disposal on a non-miscellaneous day. "**

**SLP(C) No. 15006/2015**

There are Fourteen respondents in this matter. Mr.Gopal

Singh, Advocate for state of bihar has on 13.08.2015 filed

vakalatnama on behalf of respondent nos.1-11(State Govt. Parties) and he has on 03.09.2015 filed counter-affidavit which is included in paper-books. Mr. AK Singh, Advocate has already filed vakalatnama on behalf of respondent nos.12-14. Counsel for the petitioner has on 16.10.2015 filed rejoinder-affidavit with leave of the court and the same is included in paper-books. The service of show cause notice is complete.

It is further submitted that M/s Birender K. Srivastava and Santosh K. Tripathi, Advocates have filed application for intervention which have been found defective. However, the same are being circulated to Hon'ble Court.

**SLP(C) No. 16648/2015**

It is submitted that there are Ninety-Eight respondents. M/s Gopal Singh and Arun K. Sinha, Advocates have filed vakalatnama on behalf of respondent nos.1-2 and 3-4 and they have also filed counter-affidavit which are included in paper-books.

AD card duly signed from respondent nos.8,14,17,22,25-26,31,33,37,38,42,56,61,67,71,90-92 have been received back. Neither AD card nor unserved cover containing notice from respondent nos.5-7,9-13,15-16,18-21, 23-24, 27-30, 32,34-36,39,40-41,43-55,57-60,62-66,68-70,72-89 and 93-98 have been received back, so far.

**SLP(C) No. 16727/2015**

It is submitted that counsel for the petitioner has on 16.10.2015 filed spare copies and accordingly show cause notice was issued to all Forty-two respondents on 27.10.2015 by registered AD post.

Service of show cause notice is awaited.

**SLP(C) No. 21854/2015**

The matter above-mentioned was listed before the Hon'ble Court on 27.07.2015 when the Court was pleased to pass the following order:-

***"Delay condoned.***

***Issue notice through Speed Post.***

***Appointments, if any, made in the meanwhile will be subject to the result of this petition.***

***Tag with SLP(C) 15006 of 2015."***

Accordingly show cause notice was issued on 04.08.2015 to all Nine respondents by Speed Post and as per tracking report Respondent Nos. 2, 5, 7, 8 and 9 have been served but respondent no.6 has been received with remarks "Insufficient Address".

It is submitted that M/s Gopal Singh and Arun K Sinha, Advocates have filed vakalatnama as well as counter-affidavit on behalf of respondent no.1 and 3-4, but none has entered appearance on behalf of respondent nos.2,5 and 7-9.

It is further submitted that Mr. Shantanu Sagar, Advocate has filed application for impleadment alongwith vakalatnama for impleading parties as petitioners which is registered as IA no.4 and the same is included in paper-books.

Service of all respondents is complete except no.6 is complete.

**SLP(C) Nos. 27815-16/2015**

There are Six respondents in SLP(C) 27815 of 2015 and two hundred twenty two respondents in SLP(C) 27816 of 2015.

It is submitted that show cause notice could not be issued to respondents vide court's order dated 12.08.2015. The counsel for the petitioner has not filed spare copies for issuance of notice.

It is further submitted that counsel for the petitioner has filed application for exemption from service to respondent nos.4 to 6 in SLP(C) 27815 of 2015 and respondent nos.5 to 222 in SLP(C) 27816 of 2015 instead of filing spare copies. AND the matter was listed before the Hon'ble Judge-in-chamber on 26.10.2015, when the Court was pleased to pass the following order:-

***"I.A. Nos. 3-4 of 2015 have been filed seeking exemption from service on Respondent Nos. 4 to 6 in the Special Leave Petition No. 27815 of 2015 and Respondent Nos. 5 to 222 in the Special Leave Petition No. 27816 of 2015 on the ground that they are proforma respondents and co-petitioners in the High Court and no relief has been claimed against these respondents.***

***The service on aforesaid respondents is dispensed with at the risk and responsibility of the petitioners.***

***The petitioners are permitted to effect service on Respondent Nos. 1 to 3 in SLP No. 27815 of 2015 and Respondent Nos. 1 to 4 in SLP No. 27816 of 2015 and file an affidavit of service within four weeks from today.***

Service of notice on respondent nos.4 to 6 in SLP(C) 27815 of 2015 and respondent nos.5 to 222 in SLP(C) 27816 of 2015 have been dispensed with vide Hon'ble Judge in Chamber court's order dated 26.10.2015.

It is submitted that Mr. Arun K. Sinha, Advocate has filed vakalatnama on behalf of respondent nos.3 to 4 in SLP(C) 27816 of 2015 but no counter has been filed, so far.

Service of respondent nos. 1 to 3 is still awaited in SLP(C) 27815 of 2015 and respondent nos.1 to 2 in SLP(C) 27816 of 2015 (all are state Govt. parties), so far. However Mr. Gopal Singh, advocate has filed Vakalatnama on behalf of State of Bihar in SLP (C)No. 15006/2015.

The matters are listed before the Hon'ble Court with with this Office Report.

Dated this the 3rd day of November, 2015.

**ASSISTANT REGISTRAR**

Copy to:- Mr. Rakesh U. Upadhyay, Advocate  
Mr. S.K. Verma, Advocate  
Mr. Arun K. Sinha, Advocate  
Mr. Mustaq Ahmad, Advocate  
Mr. Samir Ali Khan, Advocate  
Mr. BK Srivastava, Advocate  
Mr. Santosh Tripathi, Advocate

**ASSISTANT REGISTRAR**

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