

Section XI-A

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL Nos. 3674, 3681, 3682, 3683, 8789, 8790 OF 2015, 2036 OF 2010, 8478 OF 2012, SLP (C) NO. 35599, 28797, 35211 OF 2015 AND SLP (C).....CC NO. 22129 OF 2015

WITH

INTERLOCUTORY APPLICATION No. 6 in C.A No. 3674 of 2015

(Application for condonation of delay in filing additional documents)

AND

INTERLOCUTORY APPLICATION No. 7 in C.A No. 3674 of 2015

(Application for exemption from filing official translation)

AND

INTERLOCUTORY APPLICATION No. 8 in C.A No. 3674 of 2015

(Application for permission to file additional documents)

AND

INTERLOCUTORY APPLICATION No. 9 in C.A No. 3674 of 2015

(Application for permission to file for directions for filing official translation)

AND

INTERLOCUTORY APPLICATION NOS. 4 & 5 in C.A. No. 2036 of 2010

(Application for permission to file additional documents with exemption from filing official translation)

AND

INTERLOCUTORY APPLICATION NO. 6 in C.A. No. 2036 of 2010

(Application for permission to file additional documents with Affidavit)

AND

INTERLOCUTORY APPLICATION NO. 3 in C.A. No. 8789 of 2015

(Application for permission to file additional documents)

AND

INTERLOCUTORY APPLICATION NO. 4 in C.A. No. 8789 of 2015

(Application for permission to file additional documents)

AND

INTERLOCUTORY APPLICATION NOS. 5 & 6 in C.A. No. 8789 of 2015

(Application for permission to file additional documents & application for exemption from filing official translation)

AND

INTERLOCUTORY APPLICATION NO. 2 in SLP No. 35599 of 2015

(Application for directions alongwith Annexures A-1 to A-5)

AND

INTERLOCUTORY APPLICATION NO. 1 in I.A. NO. 2 in SLP No. 35599 of 2015

(Application for permission to file additional documents in I.A. No. 2)

AND

INTERLOCUTORY APPLICATION NO. 2 in C.A. No. 8478 of 2012

(Application for intervention filed by Mr. P.K. Manohar)

AND

INTERLOCUTORY APPLICATION NO. 3 in C.A. No. 8478 of 2012

(Application for directions filed by Mr. P.K. Manohar)

AND

INTERLOCUTORY APPLICATION NO. 10 in C.A. No. 3674 of 2015

(Application for permission to file Additional Documents)

AND
INTERLOCUTORY APPLICATION NO. 11 in C.A. No. 3674 of 2015
(Application for exemption from filing Official Translation)

AND
INTERLOCUTORY APPLICATION NO. 12 & 13 in C.A. No. 3674 of 2015
(Application for Intervention and Application for exemption from filing Official Translation)

AND
INTERLOCUTORY APPLICATION NOS. 14-15 in C.A. No. 3674 of 2015
(Application for Direction and Application for exemption from filing Official Translation)

AND
INTERLOCUTORY APPLICATION NOS. 16-17 in C.A. No. 3674 of 2015
(Application to bring on record additional questions of law, additional grounds annexure A-1 to A-6 and application for exemption from filing Official Translation)

K.S. Varghese & Ors.

...Appellants

Versus

St. Peter's & Paul's Syrian Orth. & Ors.

...Respondents

OFFICE REPORT

CIVIL APPEAL Nos. 3674, 3681, 3682, 3683, 8789, 8790 OF 2015, 2036 OF 2010
AND 8478 of 2012

The matters above-mentioned alongwith other connected appeals were listed before the Hon'ble Court on 01.02.2017 with office report dated 21.01.2017 when the Court was pleased to pass the following order:-

“List these matters before tomorrow i.e. 02.02.2017.”

The service report of each matter is as follows:-

IN C.A. No. 3674 of 2015

It is submitted for the information of the Hon'ble Court that M/s. Lawyer's Knit & Co. , counsel for the Appellants have on 04.02.2017 filed applications to bring on record additional questions of law & additional grounds annexure A-1 to A-6 and application for exemption from filing Official Translation (Copy of the same is placed with appeal paper books for the kind perusal of the Hon'ble Court).

IN C.A. No. 8789 of 2015

It is submitted that Mr. A. Raghunath, Advocate has on 3.02.2017 filed rejoinder affidavit on behalf of appellants 1-5 to the counter affidavit filed by respondent nos. 1 to 6. The same has been placed with appeal paper books for the kind perusal of the Hon'ble Court.

IN C.A. No. 8790 of 2015

It is submitted that Mr. A. Raghunath, Advocate has on 20.01.2017 filed vakalatnama/appearance on behalf of Respondent Nos. 12 to 16.

The service is complete in all the Appeals **except on Respondent No. 12 in Civil Appeal No. 8789 of 2015 and common Respondent No. 10 in Civil Appeal No. 8790 of 2015.**

SLP (C) No. 35599 of 2015

The application for directions (I.A. No. 2) in the matter above-mentioned was listed before the Hon'ble Court on 13.05.2016 when the Court was pleased to pass the following order:

“Issue notice.

Tag with Civil Appeal No. 3674 of 2015.

We are informed, that the church in question has been closed since 7.1.2012. We accordingly direct, that the status quo shall be maintained by both the parties, till the main case pending before this Court is finally disposed of.”

It is submitted that in view of order quoted above notice on the I.A. was issued on 26.05.2016 to all the 29 Respondents through Registered A.D. Post. A.D. cards have been received from all the 29 Respondents except Respondent Nos. 5, 6, 17 and 22 but no one has entered appearance on their behalf so far.

Service of notice is not complete on Respondent Nos. 5, 6, 17 and 22 in I.A. No. 2 in SLP (C) No. 35599 of 2015.

SLP (C) No. 28797 of 2015

It is submitted that Mr. V.K. Biju, counsel for the Petitioner has on 04.01.2016 filed Review Petition in the instant matter and was circulated before the Hon'ble Judge in Chambers on 01.04.2016, when the Court was pleased to pass the following order:

“Having heard learned counsel for the applicants as well as the respondent(s), we are of the view that the order passed by this Court on 05.10.2015 dismissing the special leave petition and order dated 11.12.2015 dismissing the application for modification should be recalled and the main special leave petition should be restored to its original number.

Accordingly, the instant review petition is allowed. Orders dated 05.10.2015 and 11.12.2015 are recalled and the special leave petition is restored to its original number.

Tag the special leave petition with Civil Appeal No. 3674 of 2015.”

In view of aforesaid order SLP (C) No. 28797 of 2015 has been restored to its original number and same is listed before the Hon'ble Court.

SLP (C) No. 35211 of 2015 AND SLP (C)...CC No. 22129 of 2015

These fresh matters were listed before the Hon'ble Court on 08.01.2016 when the Court was pleased to pass the following order:

“List these matters along with Civil Appeal No.3674 of 2015. If there is any urgency in these matters, liberty is granted to the petitioners to mention before appropriate Bench for appropriate relief.”

The matters and applications above-mentioned are listed before the Hon'ble Court with this office report.

Dated this the 6th day of February, 2017.

Sd/-
ASSISTANT REGISTRAR