

REGISTRAR COURT NO. 2

LISTED ON: 23-11-2015
ITEM NO. : 93

SECTION XIIA
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL(C) NOS. 10358-10359
OF 2015

WITH
PRAYER FOR INTERIM RELIEF

U.O.I

...Petitioner

-Versus-

DYAGALA DAVAMMA & ORS.

...Respondents

OFFICE REPORT

The matter above-mentioned was listed before the Hon'ble Court on 27th March, 2015, when the Court was pleased to pass the following Order:

“Permission to file SLP is granted.
Delay condoned.
Issue notice on the Special Leave Petitions as also on
the prayer for Interim Relief.”

Subsequently matter above-mentioned was listed before the Ld. Registrar's Court on 28th August, 2015, when the following order was passed :

“Await the return of the service of notice already issued to the respondent No. 235.

The office report indicates that Respondent Nos. 20,73,88,127,134 and 191 have expired. The learned counsel for the petitioner shall within a period of four weeks file an application for substitution to bring on record the Lrs. of the said respondents.

The Ld. Counsel for the petitioner has stated that he has already filed an application for substitution to bring on record the Lrs. of the deceased respondent Nos. 12,23,29,63, 40,78,141,85,87,116,121, 132 and 133. office shall verify the position and report accordingly.

List again on 23.11.2015.”

It is submitted that counsel for the Petitioner has already on 23rd July , 2015 filed application for substitution in respect of Respondent Nos. 12, 23, 29, 63, 40, 78, 141, 85, 87, 116, 121, 132, 133 in High Court but the same is not required as Lrs of above said deceased Respondents have already taken on record as per Cause Title of the High Court and in this Hon'ble Court.

It is further submitted that there are 235 common respondents in the matters. Mr. Anil Kumar Tandale, Advocate has entered appearance on behalf of respondent nos. 1 to 19, 21 to 72, 74 to 87, 89 to 126, 128 to 133, 135 to 174, 176 to 190 and 192 to 234 and also filed Counter Affidavit on their behalf and he has only on 27th August, 2015 filed copy of death certificate of deceased Respondent No. 19.

It is also submitted that Mr. Anil Kumar Tandale, Advocate has on 23rd April, 2015 filed copies of death certificate of Respondent nos. 20, 73, 88, 127 and 134 alongwith vakalatnama/appearance on behalf of lrs of deceased Respondent nos. 20, 73, 88, 127, 134 and 191 but counsel for the Petitioner has not filed application for substitution to bring on record the Lrs. of deceased Respondent Nos. 20, 73 , 88, 127, 134 and 191 so far.

It is lastly submitted that Show Cause Notice on Respondent No. 235 was issued on 18th June, 2015, A period of more than thirty days has already elapsed from the dated of issue of notice by registered post, but neither A. D. card nor unserved registered cover has been received back from the Respondent.

Service is complete on Respondent Nos. 20, 73, 88, 127, 134, 191 and 235.

The aforesaid matter is listed before the Ld. Registrar's Court with this office report.

Dated this, the 20th day of November, 2015.

ASSISTANT REGISTRAR

Copy to:

1. Mr. S.N. Terdal, Advocate
2. Anil Kumar Tandale, Advocate
114, Old Lawyers Chamber,
Supreme Court of India,
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ASSISTANT REGISTRAR