

SECTION-IX
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 34950-34952 OF 2015
WITH PRAYER FOR INTERIM RELIEF

WITH
INTERLOCUTORY APPLICATION NOS.4-6
(Application for permission to place on record additional fact and documents)

AND

PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 34955-34957 OF 2015
WITH PRAYER FOR INTERIM RELIEF

AND

PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 34962-34964 OF 2015
WITH PRAYER FOR INTERIM RELIEF

AND

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 36240 OF 2015
WITH PRAYER FOR INTERIM RELIEF

WITH
INTERLOCUTORY APPLICATION NO. 1
(Application for permission to file lengthy list of dates.)

AND

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 36252 OF 2015
WITH PRAYER FOR INTERIM RELIEF

WITH
INTERLOCUTORY APPLICATION NO. 1
(Application for permission to file lengthy list of dates.)

AND

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 912 OF 2016
WITH PRAYER FOR INTERIM RELIEF

AVANI INFRASTRUCTURE ETC.PETITIONER
-VERSUS-
THE COLLECTOR AND OTHERS ETC. ...RESPONDENTS

OFFICE REPORT

The matters above mentioned were listed before the Hon'ble Court on
06th January, 2016, when the Court was pleased to pass the following Order:

"Issue notice.

Mr. Jatin Zaveri, Mrs. Sumita Ray, Mr. Ankit Shah and Ms. Hemantika Wahi, learned counsel accept notice on behalf of their respective respondents, returnable in two weeks. Liberty to serve the unserved respondents through dasti process as well.

Learned counsel for the respondents seeks an adjournment so as to enable them to file counter affidavit.

Prayer is allowed.

Counter affidavit be filed within four weeks.

Status quo, as it exists today, shall be maintained by all the parties. "

Thereafter, the matters above mentioned were listed before the Hon'ble Court on 19th February, 2016, when the Court was pleased to pass the following Order:

"Learned counsel for respondent No.19 has circulated a letter seeking an adjournment so as to enable him to file counter affidavit.

Prayer is allowed.

Respondent No.19 and the other respondents, who desire to file counter affidavits, may do so within four weeks from today.

List thereafter."

And lastly, the matters above mentioned were listed before the Hon'ble Court on 13th May, 2016, when the Court was pleased to pass the following Order:

"Learned counsel for respondent Nos.11 and 19 have circulated letters seeking an adjournment so as to enable them to file counter affidavits.

Prayer is allowed.

Counter affidavits be filed within four weeks.

List thereafter."

It is submitted for the information of the Hon'ble Court that pursuant to Hon'ble Court's order 13.05.2016, Mr. E. C. Agrawala and Mr. Ashok Panigrahi, Advocates have not filed counter-affidavits in SLPs so far.

SLP (C) NOS. 34950-34952 OF 2015

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 34950 OF 2015

It is submitted for the information of the Hon'ble Court that there are twenty two respondents in the instant matter. Respondent Nos. 1, 21 and 22 are represented by Ms. Hemantika Wahi, Advocate, Respondent Nos. 3 to 7, 10, 12 and 15 are represented

by Mr. Rabin Majumdar, Advocate, Respondent No. 11 i.e. Life Insurance Corporation of India is represented by Mr. Ashok Panigrahi, Advocate and Mr. Rabin Majumdar, Advocate has also entered appearance on behalf of Life Insurance Corporation without obtaining 'No Objection' from erstwhile advocate Mr. Ashok Panigrahi, Respondent Nos. 18 and 19 are represented by Mr. Nachiketa Joshi, Advocate and Respondent No. 20 is represented by M/s. Aura and Company, Advocate. Mr. Jatin Zaveri, Advocate has filed caveat on behalf of M/s. Ganesh Infrastructure but the same is not a party in the instant SLP.

It is further submitted that counsel for the petitioner has not filed proof of dasti service so far.

Service of notice is not complete on respondent Nos. 2, 8, 9, 13, 14, 16 and 17.

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 34951 OF 2015

It is submitted for the information of the Hon'ble Court that there are twenty two respondents in the instant matter. Respondent Nos. 1, 2 and 22 are represented by Ms. Hemantika Wahi, Advocate, Respondent No. 4 to 8, 11, 12, 13 and 16 are represented by Mr. Rabin Majumdar, Advocate, Respondent No. 12 i.e. Life Insurance Corporation of India is represented by Mr. Ashok Panigrahi, Advocate and Mr. Rabin Majumdar, Advocate has also entered appearance on behalf of Life Insurance Corporation without obtaining 'No Objection' from erstwhile advocate Mr. Ashok Panigrahi, Respondent Nos. 19 and 20 are represented by Mr. Nachiketa Joshi, Advocate, Respondent No. 21 is represented by M/s. Aura and Company, Advocate but no one has filed counter affidavit on behalf of their respective respondents so far. Mr. Jatin Zaveri, Advocate has filed caveat on behalf of M/s. Ganesh Infrastructure but the same is not a party in the instant SLP.

It is further submitted that counsel for the petitioner has not filed proof of dasti service so far.

Service of notice is not complete on respondent Nos. 3, 9, 10, 14, 15, 17 and 18.

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 34952 OF 2015

It is submitted for the information of the Hon'ble Court that there are twenty two respondents in the instant matter. Respondent No. 1 is represented by M/s. Aura and Company, Advocate, Respondent Nos. 3 to 7, 10 to 12 and 15 are represented by Mr. Rabin Majumdar, Advocate, Respondent No. 11 i.e. Life Insurance Corporation of India is represented by Mr. Ashok Panigrahi, Advocate and Mr. Rabin Majumdar, Advocate

has also entered appearance on behalf of Life Insurance Corporation without obtaining 'No Objection' from erstwhile advocate Mr. Ashok Panigrahi, Respondent No. 18 and 19 are represented by Mr. Nachiketa Joshi, Advocate, Respondent Nos. 20, 21 and 22 are represented by Ms. Hemantika Wahi, Advocate. Mr. Jatin Zaveri, Advocate has filed caveat on behalf of M/s. Ganesh Infrastructure but the same is not a party in the instant SLP.

It is further submitted that counsel for the petitioner has not filed proof of dasti service so far.

Service of notice is not complete on respondent Nos. 2, 8, 9, 13, 14, 16 and 17.

POSITION OF COUNTER-AFFIDAVIT IN SLP (C) NOS. 34950-34952 OF 2015

It is submitted for the information of the Hon'ble Court that M/s. Aura & Co., Advocates have filed counter-affidavit on behalf of Gujarat Industrial Development Corporation and the same has been included in the paper-books. Ms. Hemantika Wahi, Advocate has filed reply affidavit on behalf of State of Gujarat with permission of the Hon'ble Court and Mr. Rabin Majumdar, Advocate has also filed common counter-affidavit on behalf of respondents with permission of the Hon'ble Court which have been included in the paper-books.

SLP (C) NOS. 34955-34957 OF 2015

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 34955 OF 2015

It is submitted for the information of the Hon'ble Court that there are twenty two respondents in the instant matter. Respondent Nos. 1, 2 and 22 are represented by Ms. Hemantika Wahi, Advocate, Respondent Nos. 4 to 8, 11 to 13 and 16 are represented by Mr. Rabin Majumdar, Advocate, Respondent No. 12 i.e. Life Insurance Corporation of India is represented by Mr. Ashok Panigrahi, Advocate and Mr. Rabin Majumdar, Advocate has also entered appearance on behalf of Life Insurance Corporation without obtaining 'No Objection' from erstwhile advocate Mr. Ashok Panigrahi, Respondent No. 20 is represented by Mr. E. C. Agrawala, Advocate and Respondent No. 21 is represented by M/s. Aura and Company, Advocate. Mr. Jatin Zaveri, Advocate has filed caveat on behalf of M/s. Ganesh Infrastructure but the same is not a party in the instant SLP.

It is further submitted that respondent Nos. 3, 9, 10, 14, 15, 17 to 19 are served as per proof of dasti service but no one has entered appearance on their behalf so far.

Service of notice is complete in the SLP.

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PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 34956 OF 2015

It is submitted for the information of the Hon'ble Court that there are twenty two respondents in the instant matter. Respondent Nos. 1, 21 and 22 are represented by Ms. Hemantika Wahi, Advocate, Respondent Nos. 3 to 7, 10 to 12 and 15 are represented by Mr. Rabin Majumdar, Advocate, Respondent No. 11 i.e. Life Insurance

Corporation of India is represented by Mr. Ashok Panigrahi, Advocate and Mr. Rabin Majumdar, Advocate has also entered appearance on behalf of Life Insurance Corporation without obtaining 'No Objection' from erstwhile advocate Mr. Ashok Panigrahi, Respondent No. 19 is represented by Mr. E. C. Agrawala, Advocate and Respondent No. 20 is represented by M/s. Aura and Company, Advocate. Mr. Jatin Zaveri, Advocate has filed caveat on behalf of M/s. Ganesh Infrastructure but the same is not a party in the instant SLP.

It is further submitted that respondent Nos. 2, 8, 9, 13, 14, 16, 17 and 18 are served as per proof of dasti service but no one has entered appearance on their behalf so far.

Service of notice is complete in the SLP.

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 34957 OF 2015

It is submitted for the information of the Hon'ble Court that there are twenty two respondents in the instant matter. Respondent No. 1 is represented by M/s. Aura and Company, Advocate, Respondent Nos. 3 to 7, 10 to 12 are represented by Mr. Rabin Majumdar, Advocate, Respondent No. 11 i.e. Life Insurance Corporation of India is represented by Mr. Ashok Panigrahi, Advocate and Mr. Rabin Majumdar, Advocate has also entered appearance on behalf of Life Insurance Corporation without obtaining 'No Objection' from erstwhile advocate Mr. Ashok Panigrahi, Respondent No. 19 is represented by Mr. E. C. Agrawala, Advocate and Respondent Nos. 20, 21 and 22 are represented by Ms. Hemantika Wahi, Advocate. Mr. Jatin Zaveri, Advocate has filed caveat on behalf of M/s. Ganesh Infrastructure but the same is not a party in the instant SLP.

It is further submitted that respondent Nos. 2, 8, 9, 13, 14, 16, 17 and 18 are served as per proof of dasti service but no one has entered appearance on their behalf so far.

Service of notice is complete in the SLP.

POSITION OF COUNTER-AFFIDAVIT IN SLP (C) NOS. 34955-34957 OF 2015

It is submitted for the information of the Hon'ble Court that M/s. Aura & Co., Advocates have filed counter-affidavit on behalf of Gujarat Industrial Development Corporation and the same has been included in the paper-books. Ms. Hemantika Wahi, Advocate has filed reply affidavit on behalf of State of Gujarat with permission of the Hon'ble Court and Mr. Rabin Majumdar, Advocate has also filed common counter-affidavit on behalf of respondents with permission of the Hon'ble Court and the same have been circulated before the Hon'ble Court with this report.

SLP (C) NOS. 34962-34964 OF 2015

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 34962 OF 2015

It is submitted for the information of the Hon'ble Court that there are twenty two respondents in the instant matter. Respondent Nos. 1, 2 and 22 are represented by Ms. Hemantika Wahi, Advocate, Respondent Nos. 4 to 8, 11 to 13 and 15 are represented by Mr. Rabin Majumdar, Advocate, Respondent No. 11 i.e. Life Insurance Corporation of India is represented by Mr. Ashok Panigrahi, Advocate and Mr. Rabin Majumdar, Advocate has also entered appearance on behalf of Life Insurance Corporation without obtaining 'No Objection' from erstwhile advocate Mr. Ashok Panigrahi, Respondent No. 20 is represented by Mr. E. C. Agrawala, Advocate and Respondent No. 21 is represented by M/s. Aura and Company, Advocate. Mr. Jatin Zaveri, Advocate has filed caveat on behalf of M/s. Ganesh Infrastructure but the same is not a party in the instant SLP.

It is further submitted that respondent Nos. 3, 9, 10, 14, 16, 17, 18 and 19 are served as per proof of dasti service but no one has entered appearance on their behalf so far.

Service of notice is complete in the SLP.

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 34963 OF 2015

It is submitted for the information of the Hon'ble Court that there are twenty two respondents in the instant matter. Respondent Nos. 1, 21 and 22 are represented by Ms. Hemantika Wahi, Advocate, Respondent Nos. 3 to 8, 10 to 12 and 15 are represented by Mr. Rabin Majumdar, Advocate, Respondent No. 11 i.e. Life Insurance Corporation of India is represented by Mr. Ashok Panigrahi, Advocate and Mr. Rabin Majumdar, Advocate has also entered appearance on behalf of Life Insurance Corporation without obtaining 'No Objection' from erstwhile advocate Mr. Ashok Panigrahi, Respondent No. 19 is represented by Mr. E. C. Agrawala and Respondent No.

20 is represented by M/s. Aura and Company, Advocate. Mr. Jatin Zaveri, Advocate has filed caveat on behalf of M/s. Ganesh Infrastructure but the same is not a party in the instant SLP.

It is further submitted that respondent Nos. 2, 8, 9, 13, 14, 16 to 18 are served as per proof of dasti service but no one has entered appearance on their behalf so far.

Service of notice is complete in the SLP.

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 34964 OF 2015

It is submitted for the information of the Hon'ble Court that there are twenty two respondents in the instant matter. Respondent No. 1 is represented by M/s. Aura and Company, Advocate, Respondent Nos. 3 to 7, 10 to 12 and 15 are represented by Mr. Rabin Majumdar, Advocate, Respondent No. 11 i.e. Life Insurance Corporation of India is represented by Mr. Ashok Panigrahi, Advocate and Mr. Rabin Majumdar, Advocate has also entered appearance on behalf of Life Insurance Corporation without obtaining 'No Objection' from erstwhile advocate Mr. Ashok Panigrahi, Respondent No. 19 is represented by Mr. E. C. Agrawala and Respondent Nos. 20, 21 and 22 are represented by Ms. Hemantika Wahi, Advocate. Mr. Jatin Zaveri, Advocate has filed caveat on behalf of M/s. Ganesh Infrastructure but the same is not a party in the instant SLP.

It is further submitted that respondent Nos. 2, 8, 9, 13, 14, 16 to 18 are served as per proof of dasti service but no one has entered appearance on their behalf so far.

Service of notice is complete in the SLP.

POSITION OF COUNTER-AFFIDAVIT IN SLP (C) NOS. 34962-34964 OF 2015

It is submitted for the information of the Hon'ble Court that M/s. Aura & Co., Advocates have filed counter-affidavit on behalf of Gujarat Industrial Development Corporation and the same has been included in the paper-books. Ms. Hemantika Wahi, Advocate has filed reply affidavit on behalf of State of Gujarat with permission of the Hon'ble Court and Mr. Rabin Majumdar, Advocate has also filed common counter-affidavit on behalf of respondents with permission of the Hon'ble Court and the same have been included in the paper-books.

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 36240 AND 36252 OF 2015

It is submitted for the information of the Hon'ble Court that there are 21 common respondents in the instant matters. Respondent No. 2 to 6, 9 to 11 and 14 are represented by Mr. Rabin Majumdar, Advocate and he has filed common

counter-affidavit with permission of the Hon'ble Court which is being circulated before the Hon'ble Court, Respondent No. 11 i.e. Life Insurance Corporation of India is represented by Mr. Ashok Panigrahi, Advocate and Mr. Rabin Majumdar, Advocate has also entered appearance on behalf of Life Insurance Corporation without obtaining 'No Objection' from erstwhile advocate Mr. Ashok Panigrahi in SLP(C)No. 36240 of 2015, Respondent Nos. 17 and 18 are represented by Mr. Nachiketa Joshi, Advocate and he has filed counter affidavits on their behalf in both the SLPs which has been included in the paper-books. Respondent No. 19 is represented by Mr. E. C. Agrawala, Advocate, Respondent No. 20 is represented by M/s. Aura and Company, Advocates they have filed counter-affidavit on its behalf which has been included in the paper-books. Respondent No. 21 (Proforma respondent) is the State Authority represented by Ms. Hemantika Wahi, Advocate. Mr. Jatin Zaveri, Advocate has filed caveat on behalf of M/s. Ganesh Infrastructure but the same is not a party in the instant SLP.

It is further submitted that counsel for the petitioner has not filed proof of dasti service so far.

Service of notice is not complete on respondent Nos. 1, 8, 9, 12, 13, 15 and 16.

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 912 OF 2016

The matter above mentioned was listed before the Hon'ble Court on 01st February, 2016, when the Court was pleased to pass the following Order:

**"Issue notice.
Tag with SLP(C)Nos.34950-34952 of
2015.
Mr. D.N. Ray, learned counsel accepts
notice on behalf of Respondent Nos. 17 and 18.
Let notice be issued to other
respondents."**

It is submitted for the information of the Hon'ble Court that there are 22 respondents in the instant matter. Mr. Rabin Majumder, Advocate has filed vakalatnama/appearance and counter-affidavit on behalf of respondent Nos. 2 to 6, 9 to 11 and 14. Counter affidavit is being circulated before the Hon'ble Court. Mr. Nachiketa Joshi, Advocate has filed vakalatnama/appearance on behalf of respondent Nos. 17 & 18 but not filed counter affidavit. Ms. Hemantika Wahi, Advocate has entered appearance on behalf of respondent Nos. 20 and 21 but counter affidavit has not been filed. Neither A. D. card nor unserved covers containing notice has been received back in respect of respondent Nos. 1, 7, 8, 12, 13, 15, 16, 19 and 22.

Service of notice is not complete on respondent Nos. 1, 7, 8, 12, 13, 15, 16,19 and 22.

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

Dated this the 14th day of July, 2016.

ASSISTANT REGISTRAR

Copy to:

Mr. E. C. Agrawala, Advocate

Ms. Hemantika Wahi, Advocate

Mr. Nachiketa Joshi, Advocate

Mr. Jatin Zaveri, Advocate

Mr. Rabin Majumdar, Advocate

M/s. Aura and Company, Advocates

Mr. Ashok Panigrahi, advocate

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ASSISTANT REGISTRAR