

LISTED ON:

COURT NO:

ITEM NO:

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

INTERLOCUTORY APPLICATION Nos. 7-8 of 2017

(Application for Intervention)

AND

INTERLOCUTORY APPLICATION NO....of 2017

(Application for directions)

IN

CIVIL APPEAL Nos. 8800-8801 of 2013

VINODKUMAR M MALAVIA & ANR

...APPELLANTS

-VERSUS-

MAGANLAL MANGALDAS GAMETI & ORS.

...RESPONDENTS

OFFICE REPORT

The Civil Appeal above-mentioned were listed before the Hon'ble Court on 30.09.2013 when the Court was pleased to dismiss the appeals and copy of the judgment is included at page Nos. 13-46 in the interlocutory application paper-books.

It is submitted for the information of the Hon'ble Court that Mr. Avinash Sharma, Advocate on behalf of the applicant who is not a party in the above-mentioned appeal has on 22.04.2014 filed an application for directions along with application for intervention. The said applications were mentioned on 28.04.2017 before the Hon'ble Court when the Court was pleased to pass the following order:

"Mr. Avinash Sharma, learned counsel appearing for the applicant/intervenor states that he has filed Interlocutory Applications for directions and intervention to give effect to the Judgment dated 30-9-2013 passed by this Court in Civil Appeal Nos.8800-8801 of 2013 and requests that the same may be listed on Monday, the 1st May, 2017.

In view of the request made, let the applications be listed on Monday, the 1st May, 2017 in case the same are found to be in order in all respects."

It is submitted for the information of the Hon'ble Court that application for intervention being in order has been registered as Interlocutory Application Nos. 7-8 and listed before the Hon'ble Court.

It is further submitted that intervention is dealt with under Order XVII Rule 3 of Supreme Court Rules, 2013. The said rule read as under :-

“In cases where intervention is allowed by the Court, the intervener or interveners shall be entitled to receive documents produced and relied upon by the petitioner(s), unless directed otherwise by the Court. The intervener(s) may make oral submissions with the leave of the Court.”

It is further submitted that the Interlocutory Application for intervention is yet to be ordered. Hence the application for directions filed by the counsel is not maintainable at this stage and the same is being circulated unregistered before the Hon'ble Court.

It is lastly submitted that the original appeal paper-books have been weeded out after due preservation and the counsel has filed fresh paper-books.

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

Dated this the 29th day of April, 2017.

ASSISTANT REGISTRAR

Copy to:

Mr. Deeptakirti Verma, Advocate
Mr. Avinash Sharma, Advocate
Ms. Hemantika Wahi, Advocate

ASSISTANT REGISTRAR