

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL) NO. 14376 OF 2012
WITH PRAYER FOR INTERIM RELIEF

PRABHAWATI AGARWAL & ORS.

...PETITIONERS

VERSUS

SHEIKH BARIK ALI & ORS.

...RESPONDENTS

OFFICE REPORT

The matter above mentioned was listed before the Ld. Registrar on 21.07.2014, when the Court was pleased to pass the following order:

“The ld. Counsel for the proposed party submits that she has not received any intimation from the Registry regarding her application for impleadment filed on 25.7.2013. Registry is directed to verify the said application and get it processed under the rules at the earliest and submit the compliance report on the next date of hearing.

Petitioner is also required to file application for substitution of respondent No.18 and submit process fee and spare copies for effecting service on respondent Nos. 14 and 16.

Item No.14

Defect in the application for substitution to bring on record the legal representatives of deceased respondent Nos. 1,13 and 19 be also cured. Defects pointed by the registry be cured within two weeks

Service is complete on respondent Nos. 2 to 12, 15 and 17 but no one has put in appearance on their behalf.

List again on 12.9.2014.”

It is submitted that there are 19 Respondents. A.D. Cards duly signed have been received back from Respondent Nos. 2 to 6, 9 to 12, 15 & 17. Service report from Trial Court has been received on behalf of Respondent Nos. 7 & 8.

It is submitted that service report from Trial Court has been received on behalf of Respondent Nos. 14, 16, & 19 stating therein that Respondent Nos. 14, 16 & 18 are not found at the given address and respondent no. 18 has expired.

It is further submitted that Counsel for the Petitioner has not cured the defects in the Application for Substitution on behalf of Respondent Nos. 1, 13 & 19 and also not filed application for Substitution on behalf of Respondent No. 18 so far.

It is submitted that Mr. Dharitry Phookan, Advocate has filed an application for Impleadment as party respondent and the same is registered as I.A No. 3 and updated in Chamber Pool.

It is further submitted that Counsel for the petitioner has not filed process fee and spare copies for issuing show cause notice to Respondent Nos. 14 & 16 and also not filed an application for substitution for Respondent No. 18 so far.

The matter above mentioned is listed before the Hon'ble Court with this office report.

Dated this the 10th day of September, 2014.

ASSISTANT REGISTRAR

Copy to:

Mr. Mushtaq Ahmad, Advocate

ASSISTANT REGISTRAR

vs

SECTION XI
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

LISTED ON:
R. Court No.:
Item No.:

INTERLOCUTORY APPLICATION NO. 3

(Application for impleadment as party respondent)

IN

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL) NO. 14376 OF 2012

WITH PRAYER FOR INTERIM RELIEF

PRABHAWATI AGARWAL & ORS.

...PETITIONERS

VERSUS

SHEIKH BARIK ALI & ORS.

...RESPONDENTS

OFFICE REPORT

The matter above mentioned was listed before the Hon'ble Court on 23.04.2012, when the Court was pleased to pass the following order:

“Delay condoned.
Issue notice.”

It is submitted that there are 19 Respondents. A.D. Cards duly signed have been received back from Respondent Nos. 2 to 6, 9 to 12, 15 & 17. Service report from Trial Court has been received on behalf of Respondent Nos. 7 & 8.

It is submitted that service report from Trial Court has been received on behalf of Respondent Nos. 14, 16, & 19 stating therein that Respondent Nos. 14, 16 & 18 are not found at the given address and respondent no. 18 has expired.

It is further submitted that Counsel for the Petitioner has not cured the defects in the Application for Substitution on behalf of Respondent Nos. 1, 13 & 19 and also not filed application for Substitution on behalf of Respondent No. 18 so far.

It is submitted that Mr. Dharitry Phookan, Advocate has filed an application for Impleadment as party respondent and the same is registered as I.A No. 3.

The application above mentioned is listed before the Hon'ble Judge in Chamber with this office report.

Dated this the 26th day of July, 2014.

ASSISTANT REGISTRAR

Copy to:

Mr. Mushtaq Ahmad, Advocate

ASSISTANT REGISTRAR

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL) NO. 14376 OF 2012
WITH PRAYER FOR INTERIM RELIEF

PRABHAWATI AGARWAL & ORS.

...PETITIONERS

VERSUS

SHEIKH BARIK ALI & ORS.

...RESPONDENTS

OFFICE REPORT

The matter above mentioned was listed before the Ld. Registrar on 23.01.2014 with office report dated 22.01.2014 (copy enclosed), when the following order was passed:

“Respondent Nos.2 to 11, 14 to 18 are reported to be duly and properly served but none appeared on their behalf.

The learned Advocate, Mr. N.K. Verma, appearing on behalf of the petitioner has undertaken to cure the defects in the application for substitution of the legal representatives of the deceased respondent Nos.1, 13 and 19 within three weeks and on compliance, Registry to process the same, as per rules.

List again on 2.4.2014.”

It is submitted that there are 19 Respondents. A.D. Cards duly signed have been received back from Respondent Nos. 2 to 6, 9 to 12, 15 & 17. Service report from Trial Court has been received on behalf of Respondent Nos. 7 & 8.

It is submitted that service report from Trial Court has been received on behalf of Respondent Nos. 14, 16, 18 & 19 stating therein that Respondent Nos. 14, 16 & 18 are not found at the given address and respondent no. 19 is expired.

It is further submitted that Counsel for the Petitioner has not cured the defects in the Application for Substitution on behalf of Respondent Nos. 1, 13 & 19 so far.

The matter above mentioned is listed before the Court of Ld. Registrar with this office report.

Dated this the 01st day of April, 2014.

ASSISTANT REGISTRAR

Copy to:

Mr. Mushtaq Ahmad, Advocate

ASSISTANT REGISTRAR

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL) NO. 14376 OF 2012
WITH PRAYER FOR INTERIM RELIEF

PRABHAWATI AGARWAL & ORS.

...PETITIONERS

VERSUS

SHEIKH BARIK ALI & ORS.

...RESPONDENTS

OFFICE REPORT

The matter above mentioned was listed before the Ld. Registrar on 18.11.2013 when the following order was passed:

“A perusal of the office report indicates that out of 19 respondents, respondent Nos.1, 13 and 19 are reported to have expired. Three weeks' time is granted, as final chance, to the learned counsel for the petitioner for taking necessary steps for substitution, failing which the office report in default be placed before the Hon'ble Judge in Chambers for necessary orders/directions.

Service on the remaining respondents is complete but none appeared on their behalf.

List again on 12.12.2013.”

It is submitted that Counsel for the Petitioner has on 21.01.2014 filed an application for substitution to bring on record the Lr's. of deceased Respondent Nos. 1, 13 & 19 but the same is defective for the following reason:

- 1 Notice of Motions have not filed.
- 2 Death Certificates has not been filed.
- 3 Age of the proposed Lr's. of Respondent No. 19 as well as relationship has not been informed.
- 4 Avernment regarding no other Lr's. is not given.

Service on the Respondent Nos. 2 to 11, 14 to 18 is complete but no one has chosen to enter appearance so far.

The matter above mentioned is listed before the Court of Ld. Registrar with this office report.

Dated this the 22nd day of January, 2014.

ASSISTANT REGISTRAR

Copy to:

Mr. Mushtaq Ahmad, Advocate

ASSISTANT REGISTRAR

SECTION XI
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

LISTED ON: 01.07.2013
R. Court No.: 1
Item No.: 60

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL) NO. 14376 OF 2012
WITH PRAYER FOR INTERIM RELIEF

PRABHAWATI AGARWAL & ORS.

...PETITIONERS

VERSUS

SHEIKH BARIK ALI & ORS.

...RESPONDENTS

OFFICE REPORT

The matter above mentioned was listed before the Ld. Registrar on 15.04.2013 when the following order was passed:

“Service report in respect of the unserved respondents is awaited from the concerned District Court.
Reminder be issued.
List again on 1.7.2013.”

It is submitted that there are 19 respondents. A.D. Cards duly signed have been received back from respondent Nos. 1 to 6, 9, 10 to 12, 15 & 17 but no one has chosen to enter appearance on behalf of them. Service report from trial court has been received on behalf of respondent Nos. 7 & 8 stating therein that respondent Nos. 7 & 8 are served but no one has chosen to enter appearance so far. Service report on behalf of respondent Nos. 14, 16 and 18 has been received stating therein that they are living abroad and on behalf of respondent No. 19 left “without address” and in respect of respondent No. 13 “expired”.

The matter above mentioned is listed before the Court of Ld. Registrar with this report.

Dated this the 27th day of June, 2013.

ASSISTANT REGISTRAR

Copy to:

Mr. Mushtaq Ahmad, Advocate

ASSISTANT REGISTRAR