

LISTED ON : 06-01-2017

COURT NO. : 8

ITEM NO. : 21

SECTION XIIA  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION Nos. 5-6 in SLP(C) No. 18755-56 of 2013  
(Application for vacation of status quo)

IN

PETITION FOR SPECIAL LEAVE TO APPEAL (C) Nos. 18755-56 of 2013

KSB ALI

...PETITIONER

-VERSUS-

STATE OF A.P & ORS.

..RESPONDENTS

OFFICE REPORT

The SLP(C) Nos. 18755-18756 of 2013 above-mentioned were listed before the Hon'ble Court on 10<sup>th</sup> May, 2013 when the Hon'ble Court was pleased to pass the following order :

"Taken on board.

Delay condoned.

Issue notice returnable in ten weeks.

Dasti, in addition to the ordinary process, is permitted.

In the meanwhile, status quo with regard to subject property shall be maintained by all concerned in all respects."

It is submitted that there are seven respondents in SLP(C) No. 18755 and eight respondents in SLP(C) No. 18756 of 2013. Respondent Nos. 1 to 7 are common in both matters. Mr. T.V Ratnam, Advocate has on 19<sup>th</sup> July, 2016 filed vakaltnama/appearance on behalf of respondent no. 8 in SLP(C ) No. 18756 of 2013 after taking "No objection" from Mr. S. Udaya Kumar Sagar, Advocate who has on 28<sup>th</sup> August, 2014 filed vakalatnama/appearance on behalf of respondent no. 8 in SLP(C ) No. 18756 of 2013 after taking "No objection" from Mr. D. Mahesh Babu, Advocate. Counter affidavit had been filed on behalf of respondent no. 7 i.e. Hyderabad Urban Development Authority by the then Advocate, Mr. D. Mahesh Babu. He has requested to treated the same counter affidavit in all SLPs on behalf of Hyderabad Metropolitan Development Authority.

It is submitted that M/s. Venkat Palwai Law Associates, Advocates have on 2<sup>nd</sup> July, 2015 filed counter-affidavit on behalf of Respondent Nos. 1 to 6. Service is complete on respondent no. 7 in both SLPs through affidavit of service, but no one has entered appearance so far.

Service is complete.

NS

It is further submitted that Mr. S. Udaya Kumar Sagar, Advocate has on 16<sup>th</sup> December, 2015 filed an application for vacation of status quo on behalf of Respondent No. 8 and the same is registered as IA Nos. 5-6 of 2015 and same was listed before Hon'ble Court on 29<sup>th</sup> January, 2016, when the Hon'ble Court was pleased to pass the following order :

“In view of letter circulated by the learned counsel for the petitioner seeking four weeks' time to file reply to the application for vacation of status-quo filed by the respondents, the Interlocutory Applications are adjourned for four weeks for the purpose.”

Thereafter, SLP(C) No. 18755-18756 of 2013 alongwith connected matters were mentioned before the Hon'ble Court on 25<sup>th</sup> April, 2016, when the Hon'ble Court was pleased to pass the following order ;

“Post these petitions along with SLP(C) No. 10946 of 2013 etc. etc. tomorrow i.e. on 26.04.2016 before an appropriate Bench.”

It is also submitted that Ms. Manju Sharma Jetly, the then Advocate has on 6<sup>th</sup> June, 2016 filed Contempt Petition in SLP(C) Nos. 18755-18756 of 2013 on behalf of petitioner but the same is defective for the following reasons :

1. Vakalatnama alongwith No Objection Certificate on behalf of Petitioner not filed.
2. Name of alleged Contemnor has not been mentioned in Contempt Petition.
3. Civil Appellate Jurisdiction is mentioned instead of “Original Jurisdiction”.
4. Cause-title of SLP not given.
5. Prayer of Contempt Petition is not mentioned.
6. Neither Annexure mentioned in the Contempt Petition nor mentioned on the top of Annexures.
7. Dates of Annexure are Annexures.
8. In the Index dated of order mentioned 10<sup>th</sup> May, 2005 instead of 10<sup>th</sup> May, 2013.

Mr. KSB Ali, Petitioner-in-person has on 8<sup>th</sup> October , 2016 filed application for permission for filing additional documents. The petitioner in person has also filed application for posting the matter before an appropriate Bench (Under article 145 r/w 142, 323 B (3) (d) for appropriate steps alongwith annexures. The said application above mentioned is also placed before the Hon'ble Court for it's kind perusal.

It is submitted that Mr. K.S.B Ali, Petitioner-in-person has on 17<sup>th</sup> October, 2016 filed a letter stating therein that Contempt Petition filed by him has become infructuous. Copy of the letter is placed before the Hon'ble court for its kind perusal.

It is further submitted that IA Nos. 5-6 of 2015 was mentioned before Hon'ble Court on 17<sup>th</sup> November, 2016, when the Hon'ble Court was pleased to pass the following order :

“List in the month of January, 2017.”

It is lastly submitted that Counsel for the Petitioner has not filed reply of the application as per Court's order dated 29<sup>th</sup> January, 2016.

The aforesaid application in the matters are listed before the Hon'ble Court with this Office Report as directed.

Dated this, the 05<sup>th</sup> day of January, 2017.

ASSISTANT REGISTRAR

Copy to:

1. Mr. K.S.B Ali, Petitioner-in-Person
2. Mrs. Manju Sharma Jetley, Advocate
3. Mr. T.V Ratnam, Advocate
4. M/s. Venkat Palwai Associates, Advocate

ASSISTANT REGISTRAR