

Section XI-A

**IN THE SUPREME COURT OF INDIA**

**CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL Nos. 3674, 3681, 3682, 3683, 8789, 8790 OF 2015, 2036 OF 2010, 8478 OF 2012, SLP (C) NO. 35599, 28797, 35211 OF 2015 AND SLP (C).....CC NO. 22129 OF 2015**

**WITH**

**INTERLOCUTORY APPLICATION No. 6 in C.A No. 3674 of 2015**

(Application for condonation of delay in filing additional documents )

**AND**

**INTERLOCUTORY APPLICATION No. 7 in C.A No. 3674 of 2015**

(Application for exemption from filing official translation)

**AND**

**INTERLOCUTORY APPLICATION No. 8 in C.A No. 3674 of 2015**

(Application for permission to file additional documents)

**AND**

**INTERLOCUTORY APPLICATION No. 9 in C.A No. 3674 of 2015**

(Application for permission to file for directions for filing official translation)

**AND**

**INTERLOCUTORY APPLICATION NOS. 4 & 5 in C.A. No. 2036 of 2010**

(Application for permission to file additional documents with exemption from filing official translation)

**AND**

**INTERLOCUTORY APPLICATION NO. 6 in C.A. No. 2036 of 2010**

(Application for permission to file additional documents with Affidavit)

**AND**

**INTERLOCUTORY APPLICATION NO. 3 in C.A. No. 8789 of 2015**

(Application for permission to file additional documents)

**AND**

**INTERLOCUTORY APPLICATION NO. 4 in C.A. No. 8789 of 2015**

(Application for permission to file additional documents)

**AND**

**INTERLOCUTORY APPLICATION NOS. 5 & 6 in C.A. No. 8789 of 2015**

(Application for permission to file additional documents & application for exemption from filing official translation)

**AND**

**INTERLOCUTORY APPLICATION NO. 2 in SLP No. 35599 of 2015**

(Application for directions alongwith Annexures A-1 to A-5)

**AND**

**INTERLOCUTORY APPLICATION NO. 1 in I.A. NO. 2 in SLP No. 35599 of 2015**

(Application for permission to file additional documents in I.A. No. 2)

**AND**

**INTERLOCUTORY APPLICATION NO. 2 in C.A. No. 8478 of 2012**

(Application for intervention filed by Mr. P.K. Manohar)

**AND**

**INTERLOCUTORY APPLICATION NO. 3 in C.A. No. 8478 of 2012**

(Application for directions filed by Mr. P.K. Manohar)

**AND**

**INTERLOCUTORY APPLICATION NO. 10 in C.A. No. 3674 of 2015**

(Application for permission to file Additional Documents)

**AND**  
**INTERLOCUTORY APPLICATION NO. 11 in C.A. No. 3674 of 2015**  
(Application for exemption from filing Official Translation)

**AND**  
**INTERLOCUTORY APPLICATION NO. 12 & 13 in C.A. No. 3674 of 2015**  
(Application for Intervention and Application for exemption from filing Official Translation)

**AND**  
**INTERLOCUTORY APPLICATION NOS. 14-15 in C.A. No. 3674 of 2015**  
(Application for Direction and Application for exemption from filing Official Translation)

**K.S. Varghese & Ors.**

**...Appellants**

**Versus**

**St. Peter's & Paul's Syrian Orth. & Ors.**

**...Respondents**

**OFFICE REPORT**

**CIVIL APPEAL Nos. 3674, 3681, 3682, 3683, 8789, 8790 OF 2015, 2036 OF 2010**  
**AND 8478 of 2012**

The matters above-mentioned alongwith other connected appeals were listed before the Hon'ble Court on 17.01.2017 with office report dated 16.01.2017 when the Court was pleased to pass the following order:-

**“One of us (Ashok Bhushan, J.) is not inclined to take up these matters.**

**List the matters before an appropriate Bench.”**

The service report of each matter is as follows:-

**IN C.A. No. 3674 of 2015**

It is submitted that Mr. A. Raghunath, counsel for the Appellant has on 24.10.2016 filed applications for permission to file additional documents and for exemption from filing official translation which are registered as I.A Nos.10 and 11 respectively. The same has already been placed with appeal paper books for the kind perusal of the Hon'ble Court.

It is further submitted that Mr. Ritesh Kumar, Advocate has on 26.11.2016 has filed Applications i.e. Application for Intervention, Application for exemption from filing Official Translation, Application for Direction and Application for exemption from filing Official Translation. These applications are registered as I.A. Nos.12, 13, 14 and 15 (Copy of the same are circulated for the kind perusal of the Hon'ble Court). Mr. E.M.S. Anam, Counsel for Respondent No. 9 has opposed the application by mentioned on his filing memo that “The filing of this application is opposed. The appeal is pending for more than 2 years and is listed specifically for final hearing on 30.11.2016. Therefore, the permission of the Hon'ble Court is necessary to file the

Application. Further the appeal arises from a Civil Suit and the Applicants are strangers to the suit”.

**IN C.A. No. 8790 of 2015**

It is submitted that Mr. A. Raghunath has on 20.01.2017 filed vakalatnama/appearance on behalf of Respondent Nos. 12 to 16.

The service is complete in all the Appeals i.e. **C.A. Nos. 3674, 3681, 3682, 3683 OF 2015, 2036 OF 2010 AND 8478 of 2012 except on Respondent No. 12 in Civil Appeal No. 8789 of 2015 and common Respondent No. 10 in Civil Appeal No. 8790 of 2015.**

**SLP (C) No. 35599 of 2015**

The application for directions (I.A. No. 2) in the matter above-mentioned was listed before the Hon'ble Court on 13.05.2016 when the Court was pleased to pass the following order:

**“Issue notice.**

**Tag with Civil Appeal No. 3674 of 2015.**

**We are informed, that the church in question has been closed since 7.1.2012. We accordingly direct, that the status quo shall be maintained by both the parties, till the main case pending before this Court is finally disposed of.”**

It is submitted that in view of order quoted above notice on the I.A. was issued on 26.05.2016 to all the 29 Respondents through Registered A.D. Post. A.D. cards have been received from all the 29 Respondents except Respondent Nos. 5, 6, 17 and 22 but no one has entered appearance on their behalf so far.

**Service of notice is not complete on Respondent Nos. 5, 6, 17 and 22 in I.A. No. 2 in SLP (C) No. 35599 of 2015.**

**SLP (C) No. 28797 of 2015**

The matter above-mentioned was listed before the Hon'ble Court on 05.10.2015, when the Court was pleased to pass the following order:

**“Delay condoned.**

**The special leave petition is dismissed.**

**Pending applications stand disposed of.”**

It is submitted that Mr. V.K. Biju, counsel for the Petitioner has on 04.01.2016 filed Review Petition in the instant matter and was circulated before the Hon'ble Judge in Chambers on 01.04.2016, when the Court was pleased to pass the following order:

**“Having heard learned counsel for the applicants as well as the respondent(s), we are of the view that the order passed by**

**this Court on 05.10.2015 dismissing the special leave petition and order dated 11.12.2015 dismissing the application for modification should be recalled and the main special leave petition should be restored to its original number.**

**Accordingly, the instant review petition is allowed. Orders dated 05.10.2015 and 11.12.2015 are recalled and the special leave petition is restored to its original number.**

**Tag the special leave petition with Civil Appeal No. 3674 of 2015.”**

In view of aforesaid order SLP (C) No. 28797 of 2015 has been restored to its original number and same is listed before the Hon'ble Court.

**SLP (C) No. 35211 of 2015 AND SLP (C)...CC No. 22129 of 2015**

These fresh matters were listed before the Hon'ble Court on 08.01.2016 when the Court was pleased to pass the following order:

**“List these matters along with Civil Appeal No.3674 of 2015. If there is any urgency in these matters, liberty is granted to the petitioners to mention before appropriate Bench for appropriate relief.”**

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

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

Dated this the 21<sup>st</sup> day of January, 2017.

Sd/-  
ASSISTANT REGISTRAR