

LISTING ON 08.02.2017

COURT NO. 1

ITEM NO. 10

SEC.IV-A

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 7663 OF 2016
WITH PRAYER FOR INTERIM RELIEF

AND

INTERLOCUTORY APPLICATION NO. 1

(Application for permission to file lengthy list of dates)

AND

INTERLOCUTORY APPLICATION NO. 2

(Application for exemption from filing O.T.)

AND

INTERLOCUTORY APPLICATION NO. 3

(Application for dismissal of SLP)

AND

INTERLOCUTORY APPLICATION NO. 4

(Application for exemption from filing O.T.)

AND

INTERLOCUTORY APPLICATION NOS.

(Applications for impleadment/intervention & direction)

State of M.P. & Ors.

...Petitioners

-Versus-

Narmada Bachao Andolan & Ors.

...Respondents

OFFICE REPORT

The matter above mentioned was listed before the Hon'ble Court on 10.01.2017 with an office report dated 29.08.2016, when the Court was pleased to pass the following Order:

"At the request of the learned counsel for the respondents, and in the interest of justice, post for consideration on 19.01.2017."

It is submitted that there are total 3 Respondents. Accordingly, Show cause notice was issued to Respondent No. 3 on 19.04.2016 through Registered AD Post. Ms. Anita Shenoy, Advocate(caveator) has filed vakalatnama/appearance on behalf of Respondent No. 1. Mr. Sanjay Parikh, Advocate has not filed vakalatnama/appearance & counter affidavit on behalf of Respondent No. 2, so far despite appearance on 30.03.2016 before Hon'ble Court. Neither AD Card nor unserved cover has been received in respect of Respondent No. 3, so far.

It is further submitted that Mr. Abhimanue Shretha, Advocate has on 24.06.2016 filed application for impleadment/intervention on behalf of applicants with vakalatnama/ memo of appearance and application for direction alongwith Annexures A-1 & A-2 but the application for impleadment/intervention is defective for the reason that prayer portion of the application is not clear whether to be impleaded as respondents or the intervenors and counsel has not cured the defects despite this Registry's letter dated 04.07.2016 and the same has been included by circulation in SLP paper books.

It is again submitted that Ms. Anita Shenoy, Advocate to Respondent No. 1 has on 24.08.2016 filed an application for dismissal of SLP alongwith Annexures A-1 & A-2 and the same has been included by circulation in SLP paper books.

It is also submitted that Ms. Anita Shenoy, Advocate has on 26.08.2016 filed counter affidavit on behalf of Respondent No. 1 alongwith Annexures A-1 to A-10 with the leave of the Hon'ble Court, but same is defective for the reasons that:

1. In the Index Sheet of all Annexures are mentioned as A-1 to A-10 but on the Annexure mentioned as R-1 to R-10.
2. As per Index sheet in Annexures A-6 date of order 23.04.2007 does not tally with the Annexure.
3. As per Index Sheet in Annexure A-7 WP No. does not tally with the Annexure.
4. As per Index Sheet in Annexure A-8 SLP No. not mentioned on Annexure.
5. As per Index Sheet in Annexure A-9, SLP No. not mentioned on Annexure.

The said counter affidavit has already been included in the SLP paper books by circulation.

It is lastly submitted that counsel for the petitioners has on 26.08.2016 filed compliance affidavit alongwith Annexure R-1 to R-3 & application for exemption from filing official translation with the leave of the Hon'ble Court and

the same have been included by circulation in SLP paper books.

The matter above mentioned was lastly listed before the Hon'ble Court on 31.01.2017 with an office report dated 31.01.2017, when the Court was pleased to pass the following order:

"Heard in part.
Post for further hearing on 08.02.2017."

It is lastly submitted that no further documents have been filed after above order of Hon'ble Court.

The matter above mentioned is listed before the Hon'ble Court with this Office Report.

Dated this the 7th day of February, 2017.

Copy to: Mr. C.D. Singh, Advocate
Ms. Anitha Shenoy, Advocate

ASSISTANT REGISTRAR

ASSISTANT REGISTRAR

