

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION (c) NO. 18636 OF 2019

INTERLOCUTORY APPLICATION NO. 219687 of 2024
(Application for Intervention)

and

CIVIL APPEAL NO. 109 OF 2019

with

INTERLOCUTORY APPLICATION NOS. 3011 & 9599 OF 2019
(Application for directions, permission to file add Documents)

CIVIL APPEAL NO. 1341 OF 2019

with

INTERLOCUTORY APPLICATION NOS. 9144 & 9147 OF 2019
(Application for directions and Exemption from filing C/C of the impugned Judgment)

AND

CIVIL APPEAL NO. 1730 OF 2020

with

INTERLOCUTORY APPLICATION NOS. 4029, 4032 & 10033 OF 2019
(Applications for directions, Exemption from filing C/C of the impugned Judgment & Permission to file addl. Documents)

AND

CIVIL APPEAL NO. 1791 OF 2019

with

INTERLOCUTORY APPLICATION NOS. 7842 & 7846 OF 2019
(Application for appropriate orders/directions and Exemption from filing C/C of the impugned Judgment)

AND

CIVIL APPEAL NO. 1792 OF 2019

with

INTERLOCUTORY APPLICATION NOS. 7711 & 7713 OF 2019
(Application for directions & Exemption from filing C/C impugned Judgment)

and

SPECIAL LEAVE TO APPEAL (CIVIL) NO. 21846 OF 2024

with

INTERLOCUTORY APPLICATION NOS. 222832 OF 2024
(Permission to File the Additional Documents/Facts/Annexures)

Administrator, Smt. Tara Bai Desai Etc.

...Petitioner

VERSUS

Managing Director, Supreme Elevators
India Pvt. Ltd. Etc.

...Respondents

OFFICE REPORT

The matters above mentioned were listed before the Hon'ble Court on 17.10.2024, When the Court was pleased to pass the following order:

"Heard in part.

List on 23rd October, 2024 as part-heard for further hearing."

SPECIAL LEAVE PETITION (c) NO. 18636 OF 2019

It is submitted that Ministry of Consumer Affairs, food and Public distribution is impleaded as respondent No. 4. Cause title is amended accordingly. Mr. S.N.Terdal, Advocate has filed vakalatnama on behalf of respondent No. 4 but has not filed counter affidavit. He has on 17.10.2024 filed Affidavit on behalf of respondent No. 4 . (copy is circulated herewith)

It is further submitted that Mr. Ankit Anandraj Shah, Advocate has on 11.09.2019 filed vakalatnama on behalf of respondent Nos. 1 to 3 but has not filed counter affidavit. Service is complete.

It is further submitted that Mr. Shankar Divate, Advocate has on 23.09.2024 filed Application for Intervention on behalf of the applicant in the matter which is registered as I.A No. 219687 of 2024. (Copy of the application is placed with paper books)

It is further submitted that Counsel for the petitioner and respondent Nos. 1 to 3 has on 19.09.2024 and 20.09.2024 filed compilation of case laws in the matter.

Civil Appeal No. 109,1791,1792 and 1341 of 2019 and 1730 of 2020

The matters above mentioned were listed before the Hon'ble Court on 14.02.2020, When the Court was pleased to pass the following order:

"Delay condoned.

In Administrator Smt Tara Bai Desai Charitable Ophthalmic Trust Hospital, Jodhpur v Managing Director, Supreme Elevators India Pvt Ltd & Ors, a Bench of this Court consisting of Hon'ble Mr Justice Uday Umesh Lalit and Hon'ble Mr Justice Aniruddha Bose has referred the issue as to whether a trust would fall within the definition of "consumer" within the meaning of the Consumer Protection Act 1986 for being considered by the larger Bench. An earlier judgment of this Court in Pratibha Pratisthan v Manager, Canara Bank holds that a trust would not be a person and, consequently, not a consumer within the meaning of the Act.

Since the issue in the present case is referred to a larger Bench, we direct that the present appeals be tagged with SLP (C) No 18636 of 2019"

Civil Appeal No. 109 of 2019

It is submitted that there are two respondents in the matter. M/s M.V. Kini & Associates, Advocate has filed vakalatnama and counter affidavit on behalf of both the respondents. Service is complete. Counsel for the appellant has not filed rejoinder affidavit in the matter so far.

It is further submitted that Counsel for the appellant has on 19.09.2024 filed convenience compilation in two volumes but some of the pages at the end of the volume in Volume - II are in dim impression and illegible. (However, copy is circulated herewith for the perusal of the Hon'ble Court)

Civil Appeal No. 1341 of 2019

It is submitted that there are two respondents in the matter. Mr Amrendra Kumar Mehta, Advocate has filed common counter affidavit on behalf of both the respondents with the permission of the Hon'ble Court. Service is complete. Counsel for the appellant has not filed rejoinder affidavit in the matter so far.

Civil Appeal No. 1730 of 2020

It is submitted that there are two respondents in the matter. Mr. Sanjay Kapur, Advocate has filed vakalatnama and common counter

affidavit on behalf of both the respondents. Service is complete. Counsel for the appellant has not filed rejoinder affidavit in the matter so far.

Civil Appeal No. 1791 of 2019

It is submitted that there are two respondents in the matter. Mr. O.P.Gaggar, Advocate has filed vakalatnama and common counter affidavit on behalf of both the respondents. Service is complete. Counsel for the appellant has not filed rejoinder affidavit in the matter so far.

Civil Appeal No. 1792 of 2019

It is submitted that there are two respondents in the matter. Ms. Ashwarya Sinha, Advocate has filed vakalatnama and counter affidavit on behalf of respondent No. 2. Counsel for the appellant has not taken fresh steps in view of Hon'ble Court's order dated 12.04.2019 to effect service on respondent No. 1, however respondent No. 1 is the same bank as respondent No. 2 which is represented by Ms. Ashwarya Sinha, Advocate. Counsel for the appellant has not filed rejoinder affidavit in the matter so far.

Petition for Special Leave to Appeal (Civil) No. 21846 of 2024

It is submitted that notice was issued to both the respondents through registered A.D., Status is "Delivered" for both the respondents showing on Indian Post. Ms. Aanchal Tikmani, Counsel for the Petitioner has on 15.10.2024 filed Affidavit of service. Mr. Sudarsh Menon, Advocate has on 14.10.2024 filed Vakalatnama on behalf of Respondent No. 2 and on 22.10.2024 filed Counter Affidavit. No one has entered appearance on behalf of Respondent No. 1, however address of Respondent No. 1 & 2 are same in the memo of parties and Respondent No.2 is already represented by Mr. Sudarsh Menon, Advocate

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

DATED THIS THE 22nd DAY OF OCTOBER, 2024.

ASSISTANT REGISTRAR