

SECTION XVI

LISTED ON: 18.10.2016

COURT NO.: 1

ITEM NO. : 704

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL (C) NO. 8763 of 1994

with

CIVIL APPEAL NOS. 8909 of 1994, 7485 of 2001, SLP(C) NOS. 22159-22180 of 2002, CIVIL APPEAL NOS. 98, 99, 100, 831-850, 851 AND 5046 of 2003

with

INTERLOCUTORY APPLICATION NOS. 1-21

(Application for condonation of delay in filing SLP in SLP(C) Nos. 22159-22180 of 2002)

ARJUN FLOUR MILLS ETC. ETC.

**...APPELLANTS/
PETITIONERS**

Versus

STATE OF ORISSA AND ORS. ETC. ETC.

...RESPONDENTS

OFFICE REPORT

The Civil Appeal Nos. 8763 and 8909 of 1994 were listed before Hon'ble Court on 6th October, 1999, when the Court was pleased to pass the following order:

"We have read the referral order. We find that the decision of Constitution Bench in S.Kodar vs. State of Kerala (1975 (1) SCR 121) will also have to be considered. Therefore, a reference to a Bench of seven learned Judges becomes necessary. The papers and proceedings may be placed before the Hon'ble Chief Justice for appropriate directions."

And Civil Appeal No. 7485 of 2001 alongwith SLP(C) Nos. 22159-22180 of 2002 and Civil Appeal No. 5046 of 2003 were listed before the Hon'ble Court on 25th March, 2004, when the Court was pleased to pass the following Order :-

"(Copy of Record of proceeding dated 25.3.2004 is enclosed)"

And Civil Appeal No. 98 of 2003 alongwith Civil Appeal Nos. 99 and 100 of 2003 were listed before the Hon'ble Court on 6.1.2003, when the Court was pleased to pass the following Order :-

(Copy of Record of proceeding dated 6.1.2003 is enclosed)

....2/-

And Civil Appeal No. 851 of 2003 alongwith Civil Appeal Nos. 831-850 of 2003 were listed before the Hon'ble Court on 27.1.2003, when the Court was pleased to pass the following Order :-

(Copy of Record of proceeding dated 27.1.2003 is enclosed)

And Civil Appeal No. 5637 of 2008 was listed before the Hon'ble Court on 5th September, 2008, when the Hon'ble Court was pleased to pass the following Order :-

"Leave granted.

Tag with Civil Appeal No. 7485/2001 @ SLP(C) No. 18281 of 2001."

Service position of each matter is as below :

CIVIL APPEAL NO. 8763 and 8909 of 1994

There are four respondents in both matters and all are represented through their respective Advocates.

CIVIL APPEAL NO. 7485 of 2001

It is submitted that there are two respondents and both are represented by Mr. Ajit Puddessery, Advocate.

SLP(C) NO.22159-22180 of 2002

It is submitted that there are 31 respondents. Service of notice is complete in all respondents. Some respondents are represented by their respective Advocates.

CIVIL APPEAL NO. 98 of 2003

There are two respondents and both are represented by Mr. Kuldip Singh, Advocate.

CIVIL APPEAL NO. 99 of 2003

There are six respondents. Respondent Nos. 1 and 2 are represented by Mr. Kuldip Singh, Advocate. Respondent Nos. 3 to 6 have been served through Certificate of service received from the concerned High Court.

CIVIL APPEAL NO. 100 of 2003

There are six respondents. Respondent Nos. 1 and 2 is represented by Mr. Kuldip Singh, Advocate. Respondent Nos. 3 to 6 have been served through Certificate of service received from the concerned High Court but no one has entered appearance so far.

CIVIL APPEAL NOS. 831-850 of 2003

There are two common respondents and both are represented by Mr. Kuldip Singh, Advocate.

CIVIL APPEAL NO. 851 of 2003

There are two respondents and both are represented by Mr. Kuldip Singh, Advocate.

CIVIL APPEAL NO. 5046 of 2003

The service of notice is complete on sole respondent but no one has entered appearance on his behalf.

It is submitted that Mr. Vinoo Bhagat, Counsel for the Appellant has on 7th October, 2016 filed a letter stating therein that Civil Appeal No. 8763 of 1994, a partnership firm called Arjun Flour Mills, closed down about three years ago and two of its partners died in the past year or two. No other partner or legal representatives are known. Civil Appeal No. 8763 of 1994 would appear to have abated. Copy of the Advocate's letter dated 7th October, 2016 is being circulated herewith.

It is Certified that original record in C.A. Nos. 8763/1994, 8909/1994 and 5046/2003 have been received and are available for the perusal of the Hon'ble Court.

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

Dated this the 8th day of October, 2016.

ASSISTANT REGISTRAR

Copy to:- Mr. Mr. Vinoo Bhagat, Advocate
Mr. Radha Shyam Jena, Advocate
Mr. B.K. Prasad, Advocate
Mr. Kuldip Singh, Advocate
Mr. Ajit Pudussery, Advocate
Mr. Jagjit Singh Chhabra, Advocate
Mr. Rakesh K. Sharma, Advocate
Mr. Aniruddha P. Mayee, Advocate
Mr. K.R. Sasiprabhu, Advocate
Mr. Ramesh Babu M.R., Advocate
Mr. Varinder Kumar Sharma, Advocate
Mr. Bimal Roy Jad, Advocate
Mr. Ajay Pal, Advocate

ASSISTANT REGISTRAR