

SECTION PIL (WRIT)

MATTER FOR : 05.05.2017

COURT NO. : 01

ITEM NO. : 27

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO. 11 OF 2008

(Under Article 32 of the Constitution of India)

WITH

INTERLOCUTORY APPLICATION NO.1

(Application for stay)

Dr. Vandana Shiva & Anr.

... Petitioner

Versus

Union of India & Ors.

... Respondents

OFFICE REPORT

The Writ Petition along with application above-mentioned was listed before the Hon'ble Court on 25.01.2008 when the Hon'ble Court was pleased to pass the following order:-

“Issue notice returnable within a period of four weeks.

Dasti service, in addition, is permitted.”

Pursuant to the above Order, it is submitted that Show Cause Notice was issued to all the three Respondents on 29.01.2008 through Registered A.D. as well as for effecting Dasti Service upon Respondents.

It is further submitted that Mr. D.N. Goburdhan, Advocate for the Petitioner had on 27.02.2008 filed Affidavit of service alongwith proof of service of the notice on 27.02.2008. Hence, service of notice is complete.

It is further submitted that Mr. D.S. Mahra, Advocate had on 04.04.2008 and 10.04.2008 filed Counter Affidavit and Vakalatnama/appearance respectively on behalf of Union of India (Respondent No. 1) and the said document stands included in the Paper Books.

It is further submitted that Ms. Sushma Suri, Advocate had on 07.05.2008 filed Vakalatnama/appearance on behalf of Ministry of Health & Family Welfare (Respondent No. 3), but no Counter Affidavit has been filed, so far.

It is next submitted that Mr. D.N. Goburdhan, Advocate has on 16.10.2008 filed Rejoinder Affidavit to the Counter Affidavit filed by Respondent No. 1 and the same stands included in the Paper Books.

The instant matter was listed before the Hon'ble Court on 19.02.2016 and 28.03.2016, when the Court was pleased to pass the following orders:-

Order dated 19.02.2016

“Heard.

Respondents to file reply, if not already, within four weeks finally. Union of India may file latest status report regard the proposed amendment. Post thereafter.”

Order dated 28.03.2016

“Mr. Ajit Sinha, learned senior counsel for the respondent prays for and is granted four weeks' time finally to file status report in terms of our previous order.

Post after four weeks.”

Thereafter, the matter was lastly listed before the Hon'ble Court on 02.05.2016, when the Court was pleased to pass the following orders:-

“Learned counsel for the respondents have not filed counter affidavit despite final opportunity of four weeks granted to them by our order dated 28.03.2016. Learned counsel for the respondents prays for one more opportunity to do the needful.

Six weeks' time is granted for the purpose subject to payment of Rs.10,000/- as cost to be deposited with the Supreme Court Advocate on Record Welfare Fund.”

It is next submitted that certified copy of the Order dated 02.05.2016 was issued to the three respondents through Special Messenger on 04.05.2016.

It is lastly submitted that neither counter affidavit nor proof of payment of cost has been filed by counsel for any of the respondents, so far.

The Writ Petition along with application above-mentioned is listed before the Hon'ble Court with this Office Report for orders.

Dated this the 3rd day of May, 2017.

Sd/-
Assistant Registrar