

SECTION IV B

Listed on 07.10.2015

Court No.

IN THE SUPREME COURT OF INDIA

Item No.

CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL)NO. 35412 OF 2013

WITH PRAYER FOR INTERIM RELIEF

AND

INTERLOCUTORY APPLICATION NO. 1

(Application for condonation of delay in filing SLP)

National Insurance Co. Ltd. ...Petitioner(s)

Versus

Kamla & Ors. ....Respondent(s)

OFFICE REPORT

The matter above mentioned was listed before the Hon'ble Court on 11.11.2013, when the Court was pleased to pass the following order:-

“ Issue notice on delay as well as on special leave petition.

Tag the matter with SLP (C) No. 13759/2013.”

Accordingly, show cause notice was issued on 17.12.2013 to all the five respondents by registered A.D. Post. Mr. Nikhil Goel, Advocate has filed Vakalatnama & Memo of Appearance on behalf of Respondent Nos. 1 to 4 but he has not filed Counter Affidavit so far. Unserved cover containing notice has been received back in respect of Respondent No. 5 with remarks 'He is dead'.

The matter above mentioned was lastly listed before the Ld. Registrar's Court on 24.09.2015, when the following Order was passed:-

“ Application for substituting the legal representatives of the deceased respondent No.5 has yet not been filed by the petitioner. Petitioner to take appropriate steps.

Opportunity of respondent Nos.1 to 4 to file the counter affidavit has already been declined.

List again on 15.12.2015.”

It is submitted that Counsel for the petitioner has not filed application for substitution to bring on record the LRs of deceased Respondent No. 5 so far.

Service of show cause notice not complete on Respondent No. 5.

The matter is listed before the Hon'ble Court with this office report.

Dated this the 6<sup>th</sup> day of October, 2015.

ASSISTANT REGISTRAR

Copy to :-Ms. Manjeet Chawla, Adv.  
Mr. Nikhil Goel, Adv.

ASSISTANT REGISTRAR

Haokip