

Chamber.

Section XI-A
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) No. 6717 OF 2005
WITH PRAYER FOR INTERIM RELIEF.

AND
INTERLOCUTORY APPLICATION NO.

(Application for substitution on behalf of LR.s of deceased Respondent No. 1)

Sashi Giri @ Sashibhusan Giri & Ors.

...Petitioners

Versus

Dasaratha Giri (Giri) & Ors.

...Respondents

OFFICE REPORT FOR DIRECTIONS

The matter above-mentioned was listed before the Hon'ble Court on 20th September, 2013, when the Court was pleased to pass the following Order:

“Delay in filing application for substitution of deceased petitioner Nos.3 & 7(b) is condoned.

I.A. Nos.8 and 9 and 10 and 11 are allowed.

Counsel for the petitioner has filed an application for bringing on record the Lrs. of deceased Respondent No.1, the same is taken on record. Learned counsel for the petitioner shall remove the defects which is lying under objection within two weeks.

Thereafter, notice shall be issued to the proposed Lrs. of deceased Respondent No.1 returnable within six weeks.”

It is submitted that Mr. V. K. Monga counsel for petitioner has cured the defects by filing notice of motion in application to bring on record Lrs of deceased Respondent No. 1 (died on 3.1.2013) which is barred by time by 159 days with the result notice could not be issued to the proposed LR.s of deceased Respondent No. 1 so far.

The office report for directions is listed before the Hon'ble Judge in Chambers with this office report

Dated this the 07th day of May, 2014.

Sd/-
ASSISTANT REGISTRAR