

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).1619-1620/2005

(From the judgement and order
21396/2002 & WP No. 22768/2002
HYDERABAD)

dated 17/11/2004 in WP
of The HIGH COURT OF A.P

No.
AT

A.P. INDUSTRIAL INFR. CORP. LTD.

Petitioner(s)

VERSUS

SATYANARAYANA SINGH & ORS.

Respondent(s)

(With Office report on default)

Date: 15/11/2010 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AFTAB ALAM
(IN CHAMBERS)

For Petitioner(s) Mr. Y. Raja Gopala Rao,Adv.

For Respondent(s) Ms Nirada Das Adv.
For Ms. C.K. Sucharita,Adv.

Mr. Varun Thakur, Adv.
For Mr. Shiv Sagar Tiwari ,Adv

UPON hearing counsel the Court made the following
O R D E R

This is a land acquisition matter and at the time of issuance of notice, this Court passed an order of stay against the determination and payment of further compensation pursuant to the judgment of the High Court.

It appears that during the pendency of the special leave petition, respondent No.2 died. The petitioner, which is a State owned Corporation did not take any steps for substitution in his place. On the other hand, the wife of the deceased respondent has filed a substitution petition stating about his death and making the prayer to bring her on record in his place.

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The substitution petition suffers from certain defects, namely, it does not mention the date of death of respondent no.2 and it is not accompanied with his death certificate. The Registry pointed out the defects requiring the counsel for respondent no.2/his widowed wife to remove those defects. Despite orders passed by the Registry in this regard, the defects have not been removed so far.

Mr. Varun Thakur, advocate appearing on behalf of Mr. Shiv Sagar Tiwari, who has filed vakalatnama on behalf of the widow of respondent no.2, states that she is too poor and resourceless even to obtain the death certificate of her

husband and he is not in a position to cure the defects as pointed by the Registry. circumstances he made a prayer for withdrawal of the substitution petition.

In those

In the facts and circumstances of the case, the defects are ignored, let the respondent no. 2 be deleted from the record of the case and be substituted by his widowed wife as stated in the substitution petition.

name of

The substituted respondent is represented by a lawyer; hence, no fresh notice need go to her.

(Neetu Khajuria)
Sr. P.A.

(S.S.R. Krishna)
Court Master