

SECTION - XV

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION NOS.3 & 4
(Application for substitution for bringing on record the Lrs. of deceased respondent
No.23 and application for condonation of delay in filing substitution application)

AND

ITERLOCUTORY APPLICATION NOS 5 & 6
(Application for substitution for bringing on record the Lrs. of deceased
Respondent No. 12 and condonation of delay in filing substitution application)

IN

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 12116 of 2010

URBAN IMPROVEMENT TRUST

....PETITIONER

VERSUS

VIDHYA DEVI & ORS.

....RESPONDENTS

OFFICE REPORT

The matters above mentioned were listed before the Hon'ble Judge-in-Chambers on 31.07.2014, when the Court was pleased to pass the following Order:

“Interlocutory Application no. 2

In this application, the applicant has prayed that the name of respondent No. 8 may be permitted to be deleted from the array of parties at the risk of the petitioner.

Permission to delete the name of respondent No. 8 is granted.

Amended memo of cause title be filed within four weeks.

Interlocutory application is disposed of accordingly.

Interlocutory Application Nos. 3 & 4”

Issue notice.”

It is submitted that accordingly, notice was issued to the Lrs of deceased Respondent No. 23, through Regd. AD Post. AD card duly signed have been received from all the LRs of deceased Respondent No. 23 but no one has entered appearance so far.

Service is complete.

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It is further submitted that counsel for the petitioner has on 16.07.2015 filed an Application for substitution to bring on record the LR. of deceased Respondent No. 12 alongwith application for condonation of delay in filing substitution application and setting aside abatement as the same is barred by time by 195 days. Applications are registered as I.A nos. 5 and 6 of 2016. Copies of the same have been included in the paper books.

The Notice of Motion in respect of application for substitution was endorsed to the counsel for the petitioner for effecting service on the LR. Of deceased respondent No. 12 but counsel has not filed affidavit alongwith proof of service so far.

Service is complete on the LR. Of deceased respondent No. 23. Service of Notice of Motion is not complete on the LR. of deceased respondent No. 12.

The applications in the matter above-mentioned are listed before the Hon'ble Judge-in-Chamber with this Office Report.

Dated this the 10th day of August, 2016.

ASSISTANT REGISTRAR

Copy to:- Mr. S.K. Bhattacharya, Adv.
Mr. S.K. Verma, Adv.
Mr. Milind Kumar, Adv.

ASSISTANT REGISTRAR