

Listed on: 24.11.2015

Court No.
SECTION XIA
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Item No.

CIVIL APPEAL No. 2369 OF 2008.

Chief G.M. Telecommunications & Ors.

...Appellants

Versus

Rabinarayan Das & Anr.

...Respondents

OFFICE REPORT

The matter above-mentioned was listed before the Ld. Registrar on 28.09.2015, when she was pleased to pass the following order:-

“Application for substituting the legal representatives of deceased respondent no. 1 has not been filed. The Id. Counsel has mentioned that the same shall be filed during the course of the day. Registry to process the same thereafter before the Hon'ble Judge in Chambers.

Service of respondent no. 2 stands complete at the SLP stage but none has entered appearance.”

It is submitted that counsel for the appellant has on 29.09.2015 filed fresh application for substitution in respect of deceased Respondent No. 1 but the same is defective. A letter has been issued on 06.10.2015 to Mr. Anil Kumar Tandale, Advocate for curing the below mentioned defects but he has not done the needful so far.

Defects are as follows:

1. Original copy of death certificate not filed.
2. Averments to be made that there are no other Lrs. except mentioned in the application.
3. Chamber summons in respect of the Lrs. are to be filed.
4. Application for condonation of delay in filing the application alongwith application for setting aside abatement to be filed as there is a delay of six years and nine and half months (approximately).

Service is not complete on respondent No. 1.

Original Record has been returned back to the concerned High Court.

The matter above mentioned is listed before the Ld. Registrar with this office report.

Dated this the 19th day of November, 2015.

ASSISTANT REGISTRAR

Copy to :-

1. Mr. Anil Kumar Tandale, Adv. (114, Lawyer's Chambers)
2. Mr. Shibashish Misra, Adv. (SCBA)

ASSISTANT REGISTRAR

d1