

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

I.A. No.6 IN

CIVIL APPEAL NO(s). 6485 OF 2001

BEFORE THE REGISTRAR S.G. SHAH

CHE TAN PRA KASH

Appellant (s)

VERSUS

BHERUMAL (D) BY LRS. & ORS. Respondent(s)
(With appln(s) for substituted service, discharge of Advocate-on-Record and office report)

Date: 19/10/2010 This Appeal was called on for hearing today.

For Appellant(s)

Mr. Vivek Sharma, Adv.
Mrs. Nanita Sharma, Adv.

For Respondent(s)

Ms. Sharmila Upadhyay, Adv.
Mr. Janesh Singh, Adv.
Mr. Abhishek Atrey , Adv

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

Interim application is filed on behalf of respondent Nos.B(ii) to B(v) for discharging their counsel, Ms.Sharmila Upadhyay. The vakalatnama filed by Ms. Sharmila Upadhyay on 10.3.2010 is signed by one Mr. Ramesh Kumar, as power of attorney holder of all such respondents including respondent No.B(i), namely, Smt. Lajwanti, widow of Bherumal.
Item No.86

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In the present IA, the legal heirs of original litigant, Bherumal has declared that now Smt. Lajwanti is no more and by separate document the remaining legal heirs of original litigant Bherumal have disclosed that now they have given power of attorney to Mr. Vijay Kumar, who is respondent No.B(ii).

In view of the above fact, since respondent No.B(i) is no more and since the remaining respondents have given their power of attorney to respondent No.B(ii), in general,

there is no difficulty in allowing such application. Considering the fact that the present applicants have not informed the original power of attorney holder, namely, Mr. Ramesh Kumar about their decision, appellant wants to place on record the proof of intimation to original power of attorney holder. They may do so at the earliest.

However, it is made clear that pendency of this application will not debar the parties either to mediate the dispute or to compromise it amicably.

List again on 27.10.2010.

(S.G. SHAH)
REGISTRAR

rd