

ITEM NO.5

COURT NO.3

SECTION IV

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

Civil Appeal No(s). 5698/2015

JASWANT SINGH (D) BY LRS.

Appellant(s)

VERSUS

STATE OF PUNJAB THROUGH SECRETARY  
GOVT. OF PUNJAB & ANR.

Respondent(s)

(IA No. 156733/2021 - APPROPRIATE ORDERS/DIRECTIONS  
IA No. 106971/2022 - EXEMPTION FROM FILING O.T.  
IA No. 79632/2022 - INTERVENTION/IMPLEADMENT  
IA No. 80712/2022 - STAY APPLICATION)

WITH

C.A. No. 5686/2015 (IV)

(IA No. 1/2012 - AMENDMENT IN CAUSE TITLE  
IA No. 131657/2022 - APPLICATION FOR SUBSTITUTION  
IA No. 85590/2019 - APPLICATION FOR SUBSTITUTION  
IA No. 85592/2019 - CONDONATION OF DELAY IN FILING SUBSTITUTION  
APPLN.  
IA No. 131660/2022 - CONDONATION OF DELAY IN FILING SUBSTITUTION  
APPLN.  
IA No. 144396/2022 - RESTORATION  
IA No. 85593/2019 - SETTING ASIDE AN ABATEMENT  
IA No. 131662/2022 - SETTING ASIDE AN ABATEMENT)

Date : 21-08-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA  
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Appellant(s)

Mr. E. C. Agrawala, AOR  
Mr. Sunil Murarka, Adv.  
Mr. Abhinav Agrawal, Adv.  
Mr. Rajesh Kumar, Adv.

Mr. Arpit Shukla, AOR  
Mr. Kushagra Mahajan, Adv.  
Mr. Vinod Mahajan, Adv.

For Respondent(s)

Ms. Nupur Kumar, AOR  
Mr. Ambuj Tiwari, Adv.

Mr. Ashwani Bhardwaj, AOR

Ms. Shwetal Shepal, Adv.  
Mr. Aditya Kumar, Adv.  
Mr. Chander Shekhar Ashri, AOR

Mr. E. C. Agrawala, AOR  
Mr. Sunil Murarka, Adv.  
Mr. Abhinav Agrawal, Adv.  
Mr. Rajesh Kumar, Adv.

Mr. Arpit Shukla, AOR  
Mr. Kushagra Mahajan, Adv.  
Mr. Vinod Mahajan, Adv.

Mr. Joby P. Varghese, AOR  
Mr. Rishbh Kapur, Adv.  
Mr. Upamanyu Sharma, Adv.

Mr. C. B. Gururaj, Adv.  
Mr. Animesh Dubey, Adv.  
Mr. Prakash Ranjan Nayak, AOR  
Mr. K.P. Singh, Adv.

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

I.A. No. 79632/2022 in Civil Appeal No. 5698/2015

Without prejudice to the rights and contentions of the parties, in order to curtail further litigation and finally resolve the matter, the application for impleadment in I.A. No. 79632 of 2022 is allowed.

We clarify that we have not commented on the merits of the allegations made in the application.

Newly impleaded respondent will be shown as respondent No.49.

Counter affidavit/reply, if any, may be filed by the newly impleaded respondent No. 49 within a period of four weeks from today and the copy of the same will be furnished to the learned counsel for the appellant and the learned counsel for the respondent Nos. 1 and 2.

Rejoinder affidavit, if any, will be filed within a period of three weeks after service of the counter affidavit/reply.

I.A. Nos. 85590, 85592 and 85593/2019 in Civil Appeal No. 5686/2015

In I.A. Nos. 85590, 85592 and 85593/2019, that is, applications for substitution of legal representatives of deceased respondent no.17(i), condonation of delay in filing such substitution application and setting aside abatement against deceased respondent no. 17(i), respectively, are allowed, subject to all just exceptions and subject to payment of cost of Rs.25,000/- to the non-applicant i.e., legal representatives of the deceased respondent(s) within a period of four weeks from today.

I.A. No.144396/2022 in Civil Appeal No. 5686/2015

Application for restoration of the appeal against the respondent no. 12 is allowed.

Accordingly, I.A. Nos. 131657, 131660 and 131662 of 2022, which are applications for condonation of delay in filing substitution application, setting aside abatement and substitution of legal representatives of deceased respondent no.12, respectively, are allowed, subject to all just exceptions and subject to payment of cost of Rs.25,000/- to the non-applicant i.e., legal representatives of the deceased respondent(s) within a period of four weeks from today.

Amended memorandum of parties, if not already filed, will be filed within four weeks from today.

Re-list the appeals for final hearing/disposal on a non-miscellaneous day in the month of March 2024.

(BABITA PANDEY)  
COURT MASTER (SH)

(R.S. NARAYANAN)  
ASSISTANT REGISTRAR