

LISTED ON : 20.03.2017  
COURT NO. : 07  
ITEM NO. : 49

SECTION-XII A  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

**CIVIL APPEAL NOS. 1936 AND 1937 OF 2006.**

WITH

**INTERLOCUTORY APPLICATION NO. 41 of 2017 IN CA No. 1936 of 2006**

(Application for substitution for bringing the legal representative of sole Appellant on record)

AND

**INTERLOCUTORY APPLICATION NO. 42 of 2017 IN CA No. 1936 of 2006**

(Application for condonation of delay in filing the application for substitution of legal representative of the deceased appellant)

AND

**INTERLOCUTORY APPLICATION NO. 43 of 2017 IN CA No. 1936 of 2006**

(Application to set aside the abatement)

AND

**INTERLOCUTORY APPLICATION NO. 3 of 2017 IN CA No. 1937 of 2006**

(Application for substitution for bringing the legal representative of sole Appellant on record)

AND

**INTERLOCUTORY APPLICATION NO. 4 of 2017 IN CA No. 1937 of 2006**

(Application for condonation of delay in filing the application for substitution of legal representative of the deceased appellant)

AND

**INTERLOCUTORY APPLICATION NO. 5 of 2017 IN CA No. 1937 of 2006**

(Application to set aside the abatement)

B. LAXMAIAH (SINCE DEAD)

..APPELLANT

- VERSUS -

RAJIAH & ORS ETC.

..RESPONDENTS

**OFFICE REPORT**

The Appeals above-mentioned were listed before the Hon'ble Court on 15<sup>th</sup> February, 2017 when the Hon'ble Court was pleased to pass the following Order:-

**“The learned counsel for the appellant submits that the appellant is reportedly no more, though the learned counsel is not in a position to submit as to what is the date of the death of the appellant.**

**Anyhow, the learned counsel is granted two weeks' time to take the required steps and if not, the appeals shall stand dismissed as abated.**

**In case the required steps are taken, as above,  
list the appeals on 06.03.2017.”**

Subsequently, the appeals above-mentioned were listed before the Hon'ble Court on 6<sup>th</sup> March, 2017, when the Hon'ble Court was pleased to pass the following order:-

**“Learned counsel for the appellant seeks some time  
to amend the application for substitution to bring out all  
the Legal Representatives.  
Ten days time is granted to do the needful.  
List on 20.03.2017.”**

**CIVIL APPEAL NO.1936 OF 2006**

(Arising out of SLP (C) Nos.8916-8940 of 2001)

It is submitted to Hon'ble Court that Pursuant to the above said Order Mr. Y. Rajgopala Rao, Advocate for the Appellant has on 28<sup>th</sup> February, 2017 filed applications for substitution for bringing on record the Legal representatives of deceased sole Appellant alongwith condonation of delay in filing substitution for bringing on record the Legal representatives of deceased sole Appellant with Application for setting aside abatement in both the Appeals. There is delay of 906 days in filing application for substitution for bringing on record the Legal representatives but the said application were defective as Advocate for the Appellant has not given averments, “ deceased have no other Lr. except mentioned in the application”. The said unregistered applications were placed before the Hon'ble Court for kind perusal.

It is further submitted that pursuant to the above said Order dated 06.03.2017 Mr. Y. Rajagaopala Rao, Advocate for the Appellant has on 10<sup>th</sup> March, 2017 filed amended application for substitution for bringing on record the Legal representatives of deceased sole Appellant The same has been registered as I.A. No. 41 of 2017. I.A. No. 41 for applications for substitution for bringing on record the Legal representatives of deceased sole Appellant is being circulated herewith for kind perusal of the Hon'ble Court and I.A. Nos. 42 & 43 for condonation of delay in filing substitution for bringing on record the Legal representatives of deceased sole Appellant with Application for setting aside abatement have already been included in the Appeal paper-books.

There is sole Respondent in SLP (C) Nos.8916, 8917, 8918, 8919, 8920, 8925, 8928, 8931, 8932, 8933, 8937, 8938, 8940–8941 and all the Legal Representatives of deceased sole Respondent in SLP (C) Nos. 8921-8923 and 8934-8936 are represented through Ms. Neeru Vaid, Advocate. L.R of deceased Respondent in SLP(C) No. 8924/2001, 8926/2001, 8927/2001, 8929/2001, 8930/2001 and 8939/2001 are represented through Mr. Shadan Farasat, Advocate.

Service is complete.

**CIVIL APPEAL NO.1937 OF 2006**

It is submitted to Hon'ble Court that Pursuant to the above said Order Mr. Y. Rajgopala Rao, Advocate for the Appellant has on 1<sup>st</sup> March, 2017 filed applications for substitution for bringing on record the Legal representatives of deceased sole Appellant alongwith condonation of delay in filing substitution for bringing on record the Legal representatives of deceased sole Appellant with Application for setting aside abatement. There is delay of 907 days in filing application for substitution for bringing on record the Legal representatives but the said application were defective as Advocate for the Appellant has not given averments, “ deceased have no other Lr. except mentioned in the application that the said unregistered applications were placed before the Hon'ble Court for kind perusal.

It is further submitted that pursuant to the above said Order Mr. Y. Rajagaopala Rao, Advocate for the Appellant has on 10<sup>th</sup> March, 2017 filed amended applications for substitution for bringing on record the Legal representatives of deceased sole Appellant. The same has been registered as I.A. No. 3 of 2017. I.A. No. 3 for applications for substitution for bringing on record the Legal representatives of deceased sole Appellant is being circulated herewith for kind perusal of the Hon'ble Court and I.A. Nos. 4 & 5 for condonation of delay in filing substitution for bringing on record the Legal representatives of deceased sole Appellant with Application for setting aside abatement have already been included in the Appeal paper-books.

There is sole Legal Representative of sole Respondent has also not entered appearance before this Court though served with notice.

Service is complete.

Original Records are available for the reference of the Hon'ble Court.

The Appeals above-mentioned alongwith applications are listed before the Hon'ble Court with this Office Report.

Dated this the 11<sup>th</sup> day of March, 2017.

ASSISTANT REGISTRAR

**Copy to:-**

1. Mr. Y. Raja Gopala Rao, Advocate.
2. Ms. Neeru Vaid, Advocate.
3. Mr. Shadan Farasat  
J-14 (Basement), Jangpura  
Extention N.D-14

ASSISTANT REGISTRAR