

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

RECORD OF PROCEEDINGS

BEFORE THE REGISTRAR B.SUDHEENDRA KUMAR

IA 2/2006 in Petition for Special Leave to Appeal (Civil) No(s).6477/2006

RADHESHYAM C. GOENKA

Petitioner(s)

VERSUS

SUSHILABAI RUNGTA & ORS.

Respondent(s)

(With appln(s) for substitution of deceased petitioner and prayer for interim relief )

Date: 10/01/2007 This Petition was called on for hearing today.

For Petitioner(s)

Mr Aman Vachher, Adv.

Mr Ashutosh Dubey, Adv.,

Mr. P.N. Puri,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

The proposed legal heirs of the petitioner have filed an application p

raying

for permitting them to be substituted as petitioners in place of the deceased petitioner.

Heard.

I have also perused the application.

It is stated in the application that the petitioner died on 15.8 .2006 leaving

behind the heirs referred to in para 2 of the application. This application has been filed within time. All the proposed legal representatives have filed Vakalatnama.

There is nothing stated in the application that the persons

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referred to in para 2 of the application are the only legal heirs of the deceased.

However, this application being an application of formal nature, I am inclined to allow

the same. Accordingly, this application stands allowed and the persons referred to in

para 2 of the application are substituted as the sole legal heirs of the petitioner on

condition of one of the legal heirs filing an affidavit stating that they are the only legal

heirs of the deceased petitioner. File affidavit and memo of parties within one week.

List again on 18.1.2007.

(B.SUDHEENDRA KUMAR)

Registrar

hj