

SECTION-IV
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION NO. 5

(Application for bringing Lrs. of deceased Respondent No. 7 on record in CA No. 5592/2006 and deceased Respondent Nos. 11 and 12 in CA No. 5593/2006)

AND

INTERLOCUTORY APPLICATION NO. 6

(Application for exemption from filing death certificate of deceased Respondent No. 7 in CA No. 5592/2006 and R. Nos. 11 & 12 in C.A. No. 5593/2006)

AND

INTERLOCUTORY APPLICATION NO. 7

(Application for bringing Lrs. of deceased Respondent Nos. 4 and 6 on record in both the appeals)

AND

INTERLOCUTORY APPLICATION NO. 8

(Application for exemption from filing death certificate of deceased Respondent Nos. 4 & 6 in both the appeals)

AND

INTERLOCUTORY APPLICATION NO. 9

(Application for exemption from filing official translation of proof of service in C.A. No. 5593/2006)

IN

INTERLOCUTORY APPLICATION NOS. 2 & 3

(Application for restoration and condonation of delay in filing restoration)

IN

CIVIL APPEAL NOS. 5592 AND 5593 OF 2006

Ramesh Chander & Ors. Etc.

...Appellants

Versus

Ranjit Singh & Ors.

...Respondents

OFFICE REPORT

It is submitted that office report on default in the appeals above-mentioned was listed on 25.02.2016 before the Hon'ble Judge in Chambers when the Court was pleased to pass the following Order:

"Four weeks' time is granted to comply with the office report dated 6th January, 2016."

CIVIL APPEAL NO. 5592/2006:

It is submitted that Mr. Jitender Kumar, Counsel for the Appellant had filed Application for bringing on record Lrs. of deceased Respondent No. 7 and exemption from filing death certificate of the said Respondent (registered as I.A. Nos. 5 & 6 respectively). Copy of Chamber summons were handed over to the Counsel for effecting service on the proposed Lrs. of deceased Respondent No. 7 but instead of filing affidavit service of Chamber summon, Counsel has filed a letter dated 01.04.2016, stating therein that

Chamber summons were forwarded to the local counsel and it was handed over to the Appellant viz. Ramesh Chander, for service on the Lrs. through Trial Court, Batala, Punjab and Trial Court did not send the service report to this Hon'ble Court or local counsel. He has also filed application for bringing on record the Lrs. of deceased Respondent Nos. 4 and 6 and exemption from filing death certificate of the said Respondents in both the appeals (registered as I.A. Nos. 7 & 8 respectively).

It is also submitted that Mr. P.N. Puri, Counsel for the Respondent Nos. 1-6 (common in both the appeals) has on 29.01.2014 filed letter stating therein that after disposal of the appeal no more in contact with the Respondents but has not filed appropriate application for discharge of Advocate on behalf of Respondent Nos. 1 to 6 till date. Thereafter, Mr. Jitender Kumar, Counsel has on 17.03.2016 filed fresh and correct address of Respondent Nos. 1 to 3, 5, 12 and 13 in C.A. No. 5592 of 2006 and Respondent Nos. 1 to 3, 5 and 7 in CA No. 5593 of 2006. Notice yet to be issued on fresh addressee.

CIVIL APPEAL NO. 5593/2006:

It is submitted that Mr. Jitender Kumar, Counsel for the Appellant had filed an application for bringing on record the Lrs. of deceased Respondent Nos. 11 and 12 alongwith copies of Chamber summons which were endorsed and handed over to the Counsel for effecting service on the proposed Lrs. of deceased Respondent Nos. 11 & 12 respectively (registered as I.A. No. 9). Counsel has filed affidavit of service stating therein service has been effected upon all the proposed Lrs but proof of service are in vernacular language. Hence, Counsel has also filed an application for exemption from filing official translation alongwith english translation of proof of service. Service on application is complete.

It is also submitted that Counsel for the Appellant has filed fresh addresses of unserved Respondent Nos. 1 to 3, 5 and 7. Hence, notice is yet to be issued on fresh addresses.

The applications in the application for restoration i.e. I.A. Nos. 2 and 3 in the appeals above-mentioned and default on the part of the Counsel for Respondent Nos. 1 to 6 are placed before the Hon'ble Judges in Chambers for orders.

Dated this the 07th day of May, 2016.

ASSISTANT REGISTRAR

Copy to:

1. Mr. Jitender Kumar, Advocate
B-7, Ashadeep 9, Hailey Road, New Delhi.
2. Mr. P. N. Puri, Advocate
17, Lawyers Chambers, SCI, New Delhi.

ASSISTANT REGISTRAR