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ITEM NO.102

COURT NO.12

SECTION XV

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

RECORD OF PROCEEDINGS

Civil Appeal No(s). 7456/2008

RAM NARAIN UPADHYAYA (D) BY LRS.

Appellant(s)

VERSUS

NABARD & ORS.

Respondent(s)

(with interim relief and office report)

Date : 01/09/2016 This appeal was called on for hearing today.

CORAM :

HON&#39;BLE MR. JUSTICE SHIVA KIRTI SINGH

HON&#39;BLE MRS. JUSTICE R. BANUMATHI

For Appellant(s) Mr. B. D. Sharma, Adv.

For Respondent(s) Mr. Jaideep Gupta, Adv.

Mr. Kuldeep S. Parihar, Adv.

Mr. H. S. Parihar, Adv.

Mr. Rakesh Munjal, Sr. Adv.

Md. Atij, Adv.

Mr. Sandeep K. Ray, Adv.

Mr. P. Narasimhan, Adv.

Mr. K. B. Sounder Rajan, Adv.

Mr. Shriya Raj Chauhan, Adv.

UPON hearing the counsel the Court made the following

O R D E R

When the matter was called out, nobody appeared for the appellants. We passed over the matter for sometime and the name of the counsel for the appellants -Mr. Badri Das Sharma was flashed but even thereafter when the matter has been called again nobody appears for the appellants.

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The last order dated 26.05.2016 also discloses that when this appeal was called out for hearing on that day, none appeared for the appellants. We have heard learned counsel for the respondent no.1 namely National Bank of Agriculture & Rural Development (NABARD) and for respondent no.3 -Reserve Bank of India. At this juncture, we have been informed by Members of the Bar that Mr. Badri Das Sharma, the advocate on record representing the appellants, has died a few months earlier. In view of such information, we are of the view that interest of justice requires sending a notice to all the five legal heirs of the appellant, whose names appear in the amended cause title. They should be given reasonable time to engage any counsel to represent them in this appeal. We expect that the notice shall be issued without any delay and served upon all the legal representatives within four weeks. They should be given four weeks further time for the purpose of deciding whether they want to engage a counsel or not, and if yes, to do so.

List after eight weeks.

(NEELAM GULATI)

COURT MASTER

(MADHU NARULA)

COURT MASTER