

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

BEFORE THE REGISTRAR SUNIL THOMAS

Petition(s) for Special Leave to Appeal (C) Nos.8315-8316/2004

B.V. RAMAIAH

Petitioner(s)

VERSUS

M. BALAGANGADHARA & ORS.

Respondent(s)

(With office report)

Date: 21/04/2011 These Petitions were called on for hearing today.

For Petitioner(s)

Mr. Rajesh Mahale, Adv.

For Respondent(s)

Mr. P.P. Singh, Adv.

Mr. E.C. Vidya Sagar , Adv

Mr. Sanjay R. Hegde , Adv

Mr. Rajesh Mahale , Adv

UPON hearing counsel the Court made the following

O R D E R

The above matter was placed before the Hon'ble Judge in Chambers with an Office Report dated 18.2.2011 for appropriate orders regarding non-prosecution of the special leave petitions. The Hon'ble Court by order dated 18.2.2011 was pleased to direct that petitioner be given four weeks' time to comply with the Office Report dated 18.2.2011 failing which the special leave petitions shall stand dismissed. It is seen that in the above Office Report itself it was clearly mentioned that respondent No. 13 is deceased and out of the two legal heirs one legal heir

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remains unserved.

Necessarily by the order of the learned Hon'ble Judge in Chambers the petitioner was directed to take steps against the unserved respondent in the substitution application also within four weeks as directed by the Hon'ble Court. The present Office Report shows that application for substitution of respondent No. 13 is still pending and not brought on record since one of the legal heirs is not served. There is nothing to show that steps have been taken by the petitioner.

In the light of the above, the order of the Hon'ble Court has worked itself out. No separate order is required from this Court on the above ground.