

SECTION IV B

Listed on.7.11.2014
IN THE SUPREME COURT OF INDIA Court No.10
CIVIL APPELLATE JURISDICTION Item No.40

PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL)NO. 14120
OF 2006

AND

INTERLOCUTORY APPLICATION NO. 3

(Application for substitution of Lrs. of sole petitioner)

AND

INTERLOCUTORY APPLICATION NO. 4

(Application for condonation of delay in filing SLP)

Indraj (D) Thr. Lrs. ...Petitioner(s)

Versus

State of Haryana ...Respondent(s)

OFFICE REPORT

The matter above mentioned was listed before the Hon'ble Court on 11.8.2006, when the Court was pleased to pass the following order :-

" Permission to file Special Leave
Petition granted.
Issue notice.
Post along with SLP (C) No...../2005
(CC 2579/2005)."

It is submitted that show cause notice to sole respondent i.e State of Haryana through courier service was issued on 31.8.2006. Thereafter, the matter above mentioned was listed before the Ld. Registrar time and again.

It is submitted that at the time of filing the SLP counsel for the petitioner has filed application for substitution of Lrs. of deceased sole petitioner with a prayer to condone the delay of 191 days in filing the application for substitution.

It is further submitted that despite appearance before Ld. Registrar on behalf of the State, Standing counsel for the State of Haryana has not filed Vakalatnama and Memo of Appearance on behalf of the sole

respondent. The matter above mentioned was listed before the Ld. Registrar on 16.2.2010 alongwith connected matters, when the following order was passed:-

" Counsel for the petitioner is directed to comply with the office report and to file affidavit regarding outcome of dasti service in respect of common Respondent Nos. 3 to 6, 12 and 16 in SLP(C) Nos. 11153 and 11138/2006 and in respect of Respondent No.17 in SLP(C) Nos. 11138/2006 and also file affidavit of notice of motion in respect of Lrs. Of deceased Respondent Nos. 2, 7 and 9 therein within three weeks, failing which the matter shall be listed before the Hon'ble Judge in Chamber for non-prosecution.

Service is complete in SLP(C) No. 14120/2006. Mr. Kamal Mohan Gupta proposed to appear but he has not filed Vakalatnama for the sole respondent therein.

In case of compliance matter be listed on 23.3.2010."

It is further submitted that main matter i.e SLP (C) No. 11153/2006 alongwith connected matter i.e SLP (C) No. 11138/2006 has been dismissed for default vide order of Hon'ble Court (In Chamber) dated 26.9.2014. Copy of order dated 26.9.2014 is attached herewith.

The matter is listed before the Hon'ble Court with this office report.

Dated this the 3rd day of November, 2014.

ASSISTANT REGISTRAR

Copy to: Ms. Shalu Sharma, Adv.
Mr. Kamal Mohan Gupta, Adv.

ASSISTANT REGISTRAR

YKS