

SECTION IVB Ch. Matter  
Listed on.

Court No.  
IN THE SUPREME COURT OF INDIA Item No.  
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION NOS.6, 7 and 8

(Application for substitution of deceased respondent  
no.6, condonation of delay in filing substitution  
application and setting aside abatement)

IN

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL) NO. 6702 OF  
2012

WITH PRAYER FOR INTERIM RELIEF

Satya Devi ...Petitioner(s)

Versus

Surinder Kumar (D) Thr. Lrs. & Ors. ...Respondent(s)

OFFICE REPORT

The matter above mentioned was listed before the  
Ld. Registrar on 16.02.2015 when the following inter-alia  
order was passed :-

"....."

SLP (C) No.6702/2012

An application on behalf of the  
petitioner to bring on record the legal  
representatives of deceased respondent  
no.6 alongwith application for  
condonation of delay and for setting  
aside abatement has been filed, same has  
been registered. Be listed before the  
Hon'ble Judge in Chamber for further  
orders.

....."

It is submitted that Mr. Merusagar Samantaray,  
Advocate for the petitioner has filed application for  
substitution for deceased respondent no. 6, condonation  
of delay in filing substitution and setting aside  
abatement which are Regd. As I.A. Nos. 6, 7 & 8. Notice  
of Motion in I.A. No. 6 (Application for substitution)  
was endorsed for service on the sole proposed Lr. of

deceased respondent no. 6.

It is further submitted that application for substitution of deceased respondent no. 6 is barred by time by 212 days. However, counsel has filed an application for condonation of delay and setting aside abatement.

It is further submitted that Mr. Merusagar Samantaray, Advocate for the petitioner has filed affidavit alongwith proof of service stating therein that delivery attempted on 04.03.2015, 05.03.2015, 07.03.2015 and 09.03.2015 but door was locked - intimation served. Service of Notice of Motion on proposed Lrs. is incomplete.

The I.A.s above mentioned are therefore, listed before the Hon'ble Judge (In Chambers) with this office report.

Dated this the 16th day of June, 2015.

ASSISTANT REGISTRAR

Copy to :-

1. Mr. Merusagar Samantaray, Adv.  
430, M.C. Setalvad Chamber,  
Supreme Court of India
2. Mr. S.K. Sabharwal, Adv.  
Lawyers' Chamber No. 111  
R.K. Jain Block  
Supreme Court of India

ASSISTANT REGISTRAR

Rajesh/Mty