

SECTION IV B

Chamber Matter
Listed on

Court No.

Item No.

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL)NO. 18508 OF
2012.

WITH PRAYER FOR INTERIM RELIEF

AND

INTERLOCUTORY APPLICATION NO.

(Application for substitution of deceased respondent No. 8)

AND

INTERLOCUTORY APPLICATION NO.

(Application for condonation of delay in filing substitution
application)

AND

INTERLOCUTORY APPLICATION NO.

(Application for setting aside abatement of respondent No.8)

AND

INTERLOCUTORY APPLICATION NO.

(Application for exemption from filing official translation
of death certificate)

AND

INTERLOCUTORY APPLICATION NO.

(Application for substitution of deceased respondent No. 9)

AND

INTERLOCUTORY APPLICATION NO.

(Application for exemption from filing official translation)

AND

INTERLOCUTORY APPLICATION NO.

(Application for exemption from filing official translation
of death certificate)

Mal Singh (D) Thr. Lrs. & Ors.Petitioner(s)

Versus

Gurdev Kaur & Ors.Respondent(s)

OFFICE REPORT ON DEFAULT

The matter above mentioned was listed before the
Hon'ble Court on 03.08.2012 when the Court was pleased to
pass the following Order:

" Issue notice.

Mr. Gagan Gupta, learned counsel
appears and accepts notice for Respondent
No. 1. Four weeks' time is granted to him to
file counter affidavit. Issue notice to
other respondents.

In the meanwhile, parties are directed to maintain status quo, as it obtains today."

It is submitted that there are total 9 respondents in the instant matter. Mr. Gagan Gupta, Advocate has filed Vakalatnama/Memo of Appearance and Counter Affidavit on behalf of respondent No. 1. Mr. Parmanad Gaur, Advocate has filed Vakalatnama/Memo of Appearance on behalf of Respondent No. 2 but no Counter Affidavit has been filed so far. As per service report of the Civil Judge (Junior Division), Jalandhar, Respondent No. 3 has refused to accept notice and Respondent No. 4 stands duly served but has not chosen to enter appearance so far. Pursuant to Ld. Registrar's Order dated 02.09.2013, notice to unserved Respondent Nos. 5 to 7 was issued on 03.12.2013 through District Court and service report has been received from High Court. Service has been affected on Respondent Nos. 5 to 7 but no one has entered appearance on their behalf so far.

It is further submitted that Mr. C.S. Ashri, counsel for the petitioner has on 09.08.2013 filed an application for substitution of deceased Respondent No.8, condonation of delay in filing the application for substitution. He has on 26.09.2014 filed an application for setting aside abatement of deceased respondent No. 8. and on 02.02.2015 counsel has filed an application for exemption from filing death certificate of deceased respondent No. 8.

The counsel has on 05.03.2013 filed an application for substitution of deceased respondent No. 9 and on 02.02.2015 filed an application for condonation of delay in filing the application or substitution of deceased Respondent No. 9 and an application for exemption from filing Official Translation of death certificate of deceased respondent No. 9. However, the said applications are still defective for the following reasons:

- 1) Pages in the applications are fade and illegible.

2) Delay days are wrongly mentioned in the applications for condonation of delay in filing the application for substitution.

3) The paper books of the above said applications are fade, not arranged and not shaped in the form of paper books.

The office report on default is listed before the Hon'ble Court(In Chamber) with this office report.

Dated this the 26th day of February, 2016. .

ASSISTANT REGISTRAR

Copy to: Mr. C.S. Ashri, Advocate
Mr. Parmanand Gaur, Advocate

ASSISTANT REGISTRAR

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