

SECTION IV B

Listed on 07.08.2015

Court No.

IN THE SUPREME COURT OF INDIA Item No.

CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL)NO. 17325 OF 2009

WITH PRAYER FOR INTERIM RELIEF

Gurcharan Singh ...Petitioner

Versus

Gurcharan Singh ...Respondent

OFFICE REPORT

The matter above mentioned was listed before the Hon'ble Court on 23.02.2015, 13.04.2015 and 01.05.2015, when the Court was pleased to pass the following orders:-

Order dated 23.02.2015

" It has been submitted by the learned counsel for the petitioner that the sole respondent has expired and he would like to file an application for bringing on record the LRs of the deceased sole respondent.

He is permitted to do so.

List on 13.04.2015."

Order dated 13.04.2015

" List the mater on 1<sup>st</sup> May, 2015."

Order dated 01.05.2015

" List on 07.08.2015."

It is submitted that Dr. Kailash Chand, Counsel for the petitioner has on 22.07.2015 filed an application for substitution to bring on record LRs of deceased sole respondent alongwith the application for condonation of delay in filing substitution application, Death Certificate. There is delay of 848 days in filing the application, but the same is defective for the following reasons:-

1. Application for setting aside abatement has not been filed.
2. Application for exemption from filing Official Translation of Death Certificate has not been filed.
3. Notice of Motion has not been filed.

4. Date of death is different in the Death Certificate and application for substitution.
5. Delay of days wrongly mentioned.
6. Averments 'No other LRs' has not been mentioned.

The unregistered defective application is not being circulated to the Hon'ble Court.

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

Dated this the 4<sup>th</sup> day of August, 2015.

ASSISTANT REGISTRAR

Copy to: Dr. Kailash Chand, Adv.  
Mr. P.N. Puri, Adv.

ASSISTANT REGISTRAR

Haokip