

SECTION XII-A
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION NO. 3

(Application for substitution to bring on record the Lr. of deceased Appellant No. 3 in C.A. No. 8109 of 2010)

AND

INTERLOCUTORY APPLICATION NO. 5

(Application for substitution to bring on record the Lr. of deceased Appellant No. 1 in C.A. No. 8109 of 2010)

IN

C.A. NOS. 8109 OF 2010

GOLI KANNAYYA (D) AND ORS.	..APPELLANTS
-VERSUS-	
YENDRU SATHIRAJU (D) TR. HIS LRS. ETC.	..RESPONDENTS

OFFICE REPORT

The Interlocutory Application Nos. 3 and 5 in C.A. No. 8109 of 2010 were listed before the Hon'ble Court in Chambers on 21st August, 2014 when the Court was pleased to pass the following order:

“Case has been taken on the second call. Learned counsel for the appellants is not present. Consequently I.A. Nos. 3 & 5 are dismissed for non prosecution.”

Subsequently, the Interlocutory Application No. 6 i.e. Application for recalling the Court's order dated 21st August, 2014 was listed before the Hon'ble Judge in Chamber on 11th December, 2014 when the Court was pleased to pass the following order:

“At the request of the learned counsel for the appellants/applicants, order dated 21.08.2014 is recalled. I.A. No. 6 of 2014 is, accordingly, allowed.”

It is submitted to the Hon'ble Court that Ms. C.K. Sucharita, Advocate has filed an application for substitution to bring on record the Lr. of deceased Appellant No. 3 with prayer for condonation of delay in filing the application and aside the abatement alongwith Vakalatnama/Appearance on behalf of proposed Lr. No. 1 and 2 and proposed Lr. No. 3 is minor and represented through proposed Lr. No. 2 of deceased appellant No. 3. The said application has been registered as I.A No. 3 and placed for Hon'ble Court's kind perusal.

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It is further submitted Ms. C.K. Sucharita, Advocate has filed an application for substitution to bring on record the Lr. of deceased Appellant No. 1 with prayer for condonation of delay in filing the application and aside the abatement in C.A. No. 8109 of 2010. The said application has been registered as I.A. No. 5 alongwith Vakalatnama/appearance on behalf of proposed Lr. of deceased Appellant No. 1 and is placed for Hon'ble Court's kind perusal.

It is also submitted that appeal against Appellant No. 2 has been abated vide Court's Order dated 24th July, 2009 and Cause Title has been amended accordingly.

It is also submitted that there are 11 respondents in the matter. Mr. S.K. Sabharwal, Advocate has entered appearance on behalf of respondent Nos. 3 to 11.

It is lastly submitted that Respondent Nos. 1 and 2 have since died but Counsel for the Appellant has not filed application for substitution for bringing on record Lrs. of Respondent Nos. 1 and 2. However their legal representatives are already on record as Appellant Nos. 1 to 9 and are represented by Mr. Vijay Bhaskar, Advocate in connected Civil Appeal No. 8110 of 2010 arising out of Special Leave Petition (Civil) No. 19919 of 2006.

Service is complete.

The aforesaid applications and default of Appellant in respect of respondent nos. 1 and 2 are listed before the Hon'ble Judge-in-chamber with this office report.

Dated this, the 8th day of January, 2015.

ASSISTANT REGISTRAR

Copy to:

1. Ms. C. K. Sucharita, Advocate.
Ch. No. 214, New Lawyers Chambers
2. Mr. S. K. Sabharwal, Advocate.
Ch. No. 111, Lawyers Chambers, Supreme Court,
New Delhi

ASSISTANT REGISTRAR