

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 5074 OF 2004

BEFORE THE REGISTRAR M.P. BHADRAN

STATE OF ORISSA & ANR. Appellant (s)
VERSUS
BIBHUTI BHUSHAN MISHRA (D) BY LRS. & ORS Respondent(s)

Date: 18/02/2009 This Appeal was called on for hearing today.

For Appellant(s) Mr. Jana Kalyan Das, Adv.

For Respondent(s) Mr. H.P. Sahu, Adv.
Mr. Abhishth Kumar, Adv.UPON hearing counsel the Court made the following
ORDER

Originally there were three respondents and R.1 died. On 18.7.07 counsel for the appellant submitted before the Hon. Judge in Chamber that L.Rs. of R.1 are already on record and there is no need to file application for substitution. So, name of R.1 was struck off from the array of parties. Subsequently the Hon. Judge in Chamber allowed application to amend memo of parties as per order dated 7.8.08. As per the amended memo wife and children of deceased R.1 are brought on record as respondents 1(i) to 1(vii). No application for substitution to bring on record the L.Rs. of R.1 is seen filed. But in the application for amendment of memo of parties there is reference about the application dated 8.6.06 filed by the legal heirs of deceased R.1. R.1(i) sent a letter dated 8.6.06 with a request to bring on record the L.Rs. of R.1. As per the above letter R.1 died on 23.2.05. All the L.Rs. are now represented by advocate. Original record has been received from the High Court. The appeal is ready for listing.

(M.P. BHADRAN)

Registrar

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