

ITEM NO.48

COURT NO.15

SECTION IV-B

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSSPECIAL LEAVE PETITION (CIVIL) Diary No.9353/2024

(Arising out of impugned final judgment and order dated 29-11-2023 in RFA No. 234/2018 passed by the High Court of Punjab & Haryana at Chandigarh)

BEENA @ VEENA & ANR.

Petitioner(s)

VERSUS

NIHAL CHAND & ORS.

Respondent(s)

(FOR ADMISSION and IA No.59907/2024-APPLICATION FOR SUBSTITUTION, IA No.59913/2024-SETTING ASIDE AN ABATEMENT, IA No.59905/2024-PERMISSION TO FILE SPECIAL LEAVE PETITION and IA No.59915/2024-APPLICATION FOR CONDONATION OF DELAY IN FILING THE APPLICATION FOR SETTING ASIDE THE ABATEMENT)

WITH

SLP(C) No. 7676-7677/2024 (IV-B)

(FOR ADMISSION and I.R. and IA No.76425/2024-EXEMPTION FROM FILING O.T.)

Date : 22-04-2024 These petitions were called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE BELA M. TRIVEDI

HON'BLE MR. JUSTICE PANKAJ MITHAL

For Petitioner(s)

Mr. Rameshwar Singh Malik, Sr. Adv.

Mr. Satish Kumar, AOR

Mr. Jitesh Malik, Adv.

Mr. Chander Kiran, Adv.

Mr. Rahul Govil, Adv.

Mr. Varun Shobit, Adv.

Mr. Raj Singh, Adv.

Mr. Ashok Kumar, Adv.

Mr. R.K. Kapoor, Adv.

Mr. Krishna Joshi, Adv.

Dr. Reji Kumar R., Adv.

Ms. Shweta Kapoor, Adv.

Ms. Kheyali Singh, AOR

Mr. Rajat Kapoor, Adv.

Mr. Om Prakash, Adv.

For Respondent(s)

Mr. R.K. Kapoor, Adv.
 Mr. Krishna Joshi, Adv.
 Dr. Reji Kumar R., Adv.
 Ms. Shweta Kapoor, Adv.
 Ms. Kheyali Singh, AOR
 Mr. Rajat Kapoor, Adv.
 Mr. Om Prakash, Adv.
 Ms. Kheyali Singh, AOR

Mr. Rameshwar Singh Malik, Sr. Adv.
 Mr. Jitesh Malik, Adv.
 Mr. Satish Kumar, AOR

UPON hearing the counsel the Court made the following
 O R D E R

SPECIAL LEAVE PETITION (CIVIL) Diary No.9353/2024:-

1. Mr. R.K. Kapoor, learned counsel for the petitioners in SLP Diary No.9353/2024 and for respondents in SLP Nos.7676-7677/2024 has placed on record the High Court of Punjab, Haryana and Chandigarh amendment in Order XXII Rule 22 of the Civil Procedure Code.
2. Having regard to the same, the delay in filing the application for setting aside the abatement is condoned, abatement is set aside and application for substitution is allowed and the legal heir of the deceased Petitioner No.2 - Mr. Bhagwan Dass is brought on record.
3. The learned counsel states that the amended cause title has already been placed on record.
4. In view of the above, Application seeking permission to file the Special Leave Petition is granted.
5. Let notice be issued, returnable after four weeks.
6. Mr. Satish Kumar, learned AOR appearing on caveat for Respondent No.1 - Nihal Chand accepts notice.
7. Let notices be issued to other respondents.

SPECIAL LEAVE PETITION (CIVIL) Nos.7676-7677/2024:-

1. Issue notice.
2. Ms. Kheyali Singh, learned AOR appearing on caveat for Respondent No.2 - Smt. Beena @ Veena accepts notice.

3. Respondent No.1 - Bhagwan Dass who has already expired and Mr. Davinder Kumar Goyal being his legal heir is represented by Mr. Satish Kumar, learned AOR, no notice is required to be issued to him.

4. Let notices be issued to other respondents, returnable after four weeks.

5. In the meantime, the parties are directed to maintain status-quo in both the petitions.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS

(MAMTA RAWAT)
COURT MASTER (NSH)