

S U P R E M E                      C O U R T   O F        I N D I A  
R E C O R D   O F   P R O C E E D I N G S

BEFORE THE REGISTRAR S.G. SHAH

Petition(s) for Special Leave to Appeal (Civil) No(s).10081/2005

PUTHENPURAYIL KUMARAN (D) TH. LRS.

Petitioner(s)

VERSUS

CHEMMINIYAN VALAPPIL APPA (D) BY LRS.

Respondent(s)

(With prayer for interim relief and office report )

Date: 31/10/2011                      This Petition was called on for hearing today.

For Petitioner(s)

For Respondent(s)

Mr. K. Rajeev, Adv.

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

Nobody is present for the petitioner.

It seems that pending present petition, original petitioner No.1 expired and his legal representatives were brought on record. Thereafter it seems that in absence of representation for the petitioner, notice for alternative arrangement was issued by the Court. In response to such notice, now vakalatnama is filed on 30.9.2011 by the ld. Advocate-on-record, Mr Ranjith B with an application for certain directions. The vakalatnama is endorsed by ld. Advocate-on-record stating that petitioner No.2 died and their legal heirs are already on record. Thereby there is no clarity that actually who died and who are the legal heirs of

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Item No.1

such litigant on record. However, as per amended cause title it seems that now this information may be with reference to

D.A.Laxmi, w/o Late Puthenpurayil Kumaran (original petitioner). However, the facts remains that if there is no

proper proof of service upon such litigant for making alternative arrangement and if proper application for amending cause title accordingly or to join legal heirs of such litigant, there would be a formal order regarding abatement of the matter for such litigant.

In absence of proper disclosure on record as provided under law there is no option but to list the matter before the Hon'ble Judge in Chambers either for non-prosecution or for abatement of the matter so far as such litigant is concerned.

List before the Hon'ble Judge in Chambers.

(S.G.SHAH)  
REGISTRAR

hj