

SECTION IV B

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Ch.Matter
Listed on
Court No.
Item No.

INTERLOCUTORY APPLICATION NO. 67/2015

(Application for substitution to bring on record the LRs of deceased Respondent No. 1 in SLP (C) Nos. 21271 & 21282/2011)

AND

INTERLOCUTORY APPLICATION NO. 68/2015

(Application for condonation of delay in filing substitution application)

AND

INTERLOCUTORY APPLICATION NO. 69/2015

(Application for setting aside abatement)

AND

INTERLOCUTORY APPLICATION NO. 70/2015

(Application for exemption from filing Official Translation of death certificate)

IN

PETITIONS FOR SPECIAL LEAVE TO APPEAL(CIVIL)NOS. 21264-21288 OF 2011

WITH PRAYER FOR INTERIM RELIEF

State of Haryana & Ors.Etc.

Petitioner(s)

Versus

Baldev Singh & Ors. ETC. Etc.

...Respondent(s)

OFFICE REPORT

The matters above mentioned were listed before the Hon'ble Court on 22.07.2011, when the Court was pleased to pass the following order:-

" Delay condoned.
Issue notice, returnable six weeks
hence."

Accordingly, show cause notice by registered A.D. Post was issued on 05.09.2011.

Service of show cause notice except in SLP (C) No. 21271, 21272, 21274, 21280, 21282 & 21284 is complete.

It is submitted that Mr. Ajay Choudhary, Counsel for respondent in SLP (C) Nos. 21271 & 21282/2011 has on 05.08.2014 filed applications for substitution to bring on record the (Common) LRs of deceased Respondent No. 1

namely Bharat Singh with Vakalatnama /Memo of Appearance on behalf of all the four proposed LRs alongwith applications for condonation of delay in filing substitution application, setting aside abatement and exemption from filing Official Translation of death certificate. The same are registered as I.A. Nos. 67-70 of 2015.

It is further submitted that Dr. Monika Gusain, Counsel for the petitioner has on 05.04.2014 filed an application for substitution to bring on record (Common) LRs of deceased Respondent No. 2 namely Jamna Devi in SLP (C) No. 21274 & 21284/2011 alongwith applications for condonation of delay in filing substitution application and exemption from filing Official Translation of death certificate. She has also on 05.04.2014 filed an application for substitution to bring on record (Common) LRs of deceased Respondent No. 4 namely Tek Chand in SLP (C) No. 21272 & 21280/2011 alongwith applications for condonation of delay in filing substitution application and exemption from filing Official Translation of death certificate.

The same are defective for the following reasons:-

1. Application for setting aside abatement has not been filed.
2. The mandatory word 'No other Legal Heirs' has not been mentioned.
3. Date of Death has not been mentioned.

Counsel has not cured the aforesaid defects despite this Registry's letter dated 08.05.2014.

The matters above mentioned were lastly listed before the Id. Registrar's Court on 14.10.2014, when the following Order was passed:-

" Despite Registrar's Court order dt.22.7.2014 defects in the application for substitution has not been cured.

Substitution application regarding deceased respondents in SLP(C) no. 21271,

21282 and 21288 of 2011 has also not been filed despite time granted by the Registrar's Court.

Let the matter be listed before the Hon'ble Judge in Chambers."

The interlocutory application nos. 67-70 and defective unregistered applications in the matters above mentioned are listed before the Hon'ble Court (In Chamber) with this office report.

Dated this the 13th day of May, 2015.

ASSISTANT REGISTRAR

Copy to: Dr. Monika Gusain, Adv.
M/s. Temple Law Firm, Adv.
Mr. Ajay Choudhary, Adv.

ASSISTANT REGISTRAR

Haokip