

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(s).5374/2020

THE STATE OF HIMACHAL PRADESH & ORS. Petitioner(s)

VERSUS

JASWANT SINGH (DECEASED) & ORS. Respondent(s)

(FOR ORDERS ON INTERLOCUTORY APPLICATIONS FOR SUBSTITUTION, SETTING ASIDE ABATEMENT AND CONDONATION OF DELAY IN SETTING ASIDE ABATEMENT in SLP (C) Diary Nos.5374 and 10583 of 2020 only)

(IA No. 159890/2023 - APPLICATION FOR ABATEMENT, IA No. 159893/2023 - APPLICATION FOR CONDONATION OF DELAY IN FILING THE APPLICATION FOR SETTING ASIDE THE ABATEMENT AND IA No. 159891/2023 - APPLICATION FOR SUBSTITUTION)

WITH

Diary No(s). 10583/2020 (XIV)

(IA No. 159869/2023 - APPLICATION FOR ABATEMENT, IA No. 159870/2023 - APPLICATION FOR CONDONATION OF DELAY IN FILING THE APPLICATION FOR SETTING ASIDE THE ABATEMENT AND IA No. 159868/2023 - APPLICATION FOR SUBSTITUTION)

Date : 15-09-2023 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE UJJAL BHUYAN
[IN CHAMBER]For Petitioner(s) Mr. Vishwanathan Iyer, Adv.
Ms. Shimpay Sharma, Adv.
Mr. Aditya Kaul, Adv.
Mr. Vidit Aggarwal, Adv.
Ms. Jyoti Mehra, Adv.
Mr. Sandeep Jindal, AORFor Respondent(s) Ms. Nidhi, AOR
Mr. Mohit Girdhar, Adv.
Mr. Sarthak Arora, Adv.

Dr. Nirmal Chopra, AOR

UPON hearing the counsel the Court made the following
O R D E RI.A. Nos.159891, 159890 and 159893 of 2023 in SLP (C)
D. No.5374 of 2020

Heard learned counsel for the parties.

I.A. No.159891 of 2023 has been filed seeking substitution of deceased respondent Nos.1 and 4 and to bring on record the LRs of the said respondents.

Though the respondent No.1 had expired on 05.06.2019 and respondent No. 4 had expired on 06.03.2018, the petitioners got the information only on 05.01.2023. Immediately, thereafter, the present application as well as the related applications for setting aside abatement and for condonation of delay have been filed.

Learned counsel appearing for the respondent Nos.1, 2 and 3 submits that he has no objection to the prayer made.

In view of above, prayer made for substitution of deceased respondent Nos.1 and 4 by bringing on record their LRs is allowed. Consequently, abatement is set aside and the delay in filing the related application is condoned.

I.A. Nos.159868, 159869 and 159870 of 2023 in SLP (C)
D. No.10583 of 2020

Learned counsel for the petitioners submits on instructions that he would like to withdraw the above interlocutory applications.

The interlocutory applications are accordingly dismissed as withdrawn.

(RAVI ARORA)
COURT MASTER (SH)

(RAVINDER KUMAR)
COURT MASTER (NSH)