

ITEM NO.3

COURT NO.2

SECTION IX

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

Petition(s) for Special Leave to Appeal (Civil) No(s).17327/2006

(From the judgement and order dated 04/03/2005 in SA No.623/1987 and dated 24/03/2006 in RP No.3/2006 of The HIGH COURT OF BOMBAY)

SHAKUNTALA RAMRAO YADAV & ANR.

Petitioner(s)

VERSUS

APPASAHEB RAOSAHEB DESAI (D) BY LRS.&ORS

Respondent(s)

(With appln(s) for c/delay in filing SLP,c/delay in refiling SLP,exemption from filing c/c of the impugned Judgment and prayer for interim relief and office report)

WITH

SLP(C) NO. 17328 of 2006

(With appln(s) for c/delay in filing SLP,c/delay in refiling SLP,exemption from filing c/c of the impugned Judgment and office report)

Date: 04/04/2014 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE KURIAN JOSEPH

For Petitioner(s)

SLP 17327/2006 Mr. Aarohi Bhalla, Adv.
 Mr. Shishir Deshpande, Adv.
 Mr. Amit Yadav, Adv.
 Ms. Sujata Kurdukar, Adv.

SLP 17328/2006 Mr. Shivaji M. Jadhav, Adv. (not present)

For Respondent(s) Mr. Jay Savla, Adv.
 Ms. Renuka Sahu, Adv.

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

S.L.P. (Civil) No. 17328 of 2006

This special leave petition has been filed

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against the impugned orders dated 04.03.2005 passed

in Second Appeal No. 623 of 1987 and dated

24.03.2006 passed in Review Petition No. 3 of 2006.

According to Office Report dated April 3,

2014, respondent Nos. 11 to 13 in special leave

petition arising out of Review Petition No. 3 of

2005, who are common respondent Nos. 12 to 14 in special leave petition arising out of Second Appeal No. 623 of 1987, have expired but no application for their substitution has been made by the advocate-on-record for the petitioners.

In case no application for substitution of the deceased respondents is filed within four weeks by the petitioners, the special leave petition shall stand dismissed qua deceased respondents.

If substitution application is filed within the above time, the same shall be placed before learned Chamber Judge for consideration.

S.L.P. (Civil) No. 17327 of 2006

Learned counsel for the petitioners submits that respondent No. 15 (respondent No. 21 before the High Court) has expired and since application for his substitution has been dismissed

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by the learned Chamber Judge on 23.04.2013, the petitioners are not pressing this special leave petition against respondent No. 15.

Accordingly, special leave petition is dismissed as against respondent No. 15 (respondent No. 21 before the High Court).

(Rajesh Dham)
Court Master

(Renu Diwan)
Court Master