

SECTION IV

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

INTERLOCUTORY APPLICATION NOS. 2 AND 5

(Application for substitution of Lrs. of deceased
Respondent No. 12 in CWP. No. 4166/2000)

WITH

INTERLOCUTORY APPLICATION NOS. 3 AND 6

(Application for condonation of delay in filing application for substitution)

IN

CIVIL APPEAL NO. 3925 AND 3928 OF 2013

Brijender Singh etc.

....Appellants

VERSUS

State of Haryana & Ors.

...Respondents

OFFICE REPORT

The applications above-mentioned alongwith the main matter were listed before the Hon'ble Court on 12.04.2013, when the following Order was passed :-

"Delay condoned.

Leave granted.

Interim order to continue.

Hearing of the appeals be expedited."

It is submitted that while granting leave no orders were passed on the above-mentioned applications.

It is further submitted that Mr. S.K. Sabharwal (now Mrs. Shiel Sethi), Counsel for the appellant had on 21.04.2009 filed separate application for substitution to bring on record the Lrs. of the common deceased Respondent No. 12, viz. Bir Singh in C.A. Nos. 3925 and 3928 of 2013 in CWP No. 4166 of 2000 alongwith application for condonation of delay as there is a delay of 1083 days in filing application for substitution. The same have been registered as I.A. Nos. 2 & 3 in C.A. No. 3925 of 2013 and I.A. Nos. 5 & 6 in C.A. No. 3928 of 2013

It is also submitted that notice of motion were issued to all the LRs. of common deceased Respondent No.12 in both appeals. Counsel for the appellant had on 10.05.2010 filed affidavit alongwith proof of service of notice of motion stating therein that Lrs. of deceased Respondent No. 12 have refused to accept the notice. However, the name of said deceased respondent has been deleted from the array of parties in the connected C.A.No. 3926 & 3927 of 2013 vide Hon'ble Judge-in-Chambers order dated 25.11.2010 and 30.07.2010 respectively.

Hence, the applications in the appeals above-mentioned are listed before the Hon'ble Judge in Chambers with this Report.

Dated this the 12th day of May, 2016.

-sd/-

ASSISTANT REGISTRAR

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