

SECTION XVI

LISTED ON : 21.01.2014
COURT NO.: 6
ITEM NO. : 8

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO. 21885 of 2012
(With prayer for interim -relief)

WITH

INTERLOCUTORY APPLICATION NOS. .. & ...

(Application for substitution and condonation of delay in substitution)

BEAUTY PAUL

Petitioner(s)

VERSUS

MIRA NAG & ORS.

Respondent(s)

OFFICE REPORT

The matter above-mentioned was listed before the Hon'ble Court on 13.07.2012 when the Court was pleased to pass the following order:-

"Delay condoned. Issue notice.

Stay of dispossession subject to deposit of arrears of rent, if any, and deposit of current rent at the agreed rate by 10th of every calendar month. "

Accordingly show cause notice returnable on 10.09.2012 was issued on 31.07.2012 to all the 4 respondents by registered AD post.

It is submitted that Mr. Ranjan Mukherjee, Advocate has entered appearance and filed Counter- Affidavit on behalf of respondent Nos. 1 to 3. Copy of the same is included in the paper books.

It is further submitted that counsel for the petitioner has filed an application for substitution of Lrs. of deceased respondent No. 4 with application for condonation of delay in filing substitution applications and setting aside abatement which was defective as counsel has neither taken out Notice of Motion nor filed death certificate. The application is barred by time by 923 days.

And the matter was mentioned before the Hon'ble Court on 6.12.2013 when the Court was pleased to pass the following order:-

"List on any Tuesday in the month of January, 2014 before an appropriate Bench."

The matter is listed before the Hon'ble Court with this Report.

Dated this the 21st day of January, 2014.

ASSISTANT REGISTRAR

Copy to:-Mr. Mithilesh K. Singh, Advocate
Mr. Ranjan Mukherjee, Advocate

ASSISTANT REGISTRAR

akr or 2013/14