

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal(Civil) No.18094 of 2013

DALJEET SINGH(DEAD) Petitioner(s)

VERSUS

PRITHPAL SINGH KOHALI Respondent(s)

(With Office Report for Directions)

Date: 10/03/2014 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V. GOPALA GOWDA  
(IN CHAMBERS)

For Petitioner(s) Ms. Ankita Chaudhary, Adv.  
For Ms. Mridula Ray Bharadwaj, Adv.

For Respondent(s) Mr. Kumar Mihir, Adv.  
For Mr. Vishal Gupta, Adv.

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

Heard the counsel for the applicants, who come on record by way of substitution in place of the deceased petitioner.

Perused the averments of the applications and the documents submitted as Annexure-P-4 and Annexure-P-5, the death certificate and the Will, as also the affidavit.

Submission is placed on record.

Application to bring the legal representatives of the deceased petitioner is allowed and the Registry is directed to substitute them in the place of the deceased petitioner.

At the time of perusal of the order dictated for approval, it is noticed that there is no affidavit of the wife of the deceased as contended by the learned counsel for the applicants stating that she is not interested in the proceedings. However, it is noticed that affidavit of one of the legal representatives, Shri Harpal Singh, is on record.

Further it is noticed from the cause list that the second substitution application is not listed before the Court for orders. The matter was listed only for seeking directions by the Registry on the application filed by some of the legal representatives. This aspect of the matter is not brought to the notice of the Court, therefore, the order dictated in allowing the application filed subsequently to bring some of the legal representatives of the deceased petitioner on record cannot be allowed, hence the same is kept in abeyance, until the counsel for the legal representatives of the deceased petitioner is heard and appropriate order is passed. For this purpose, list the matter after two weeks.

|(Neetu Khajuria)

|(S.S.R. Krishna)

|  
|Sr.P.A.

|Assistant Registrar