

ITEM NO.1739

COURT NO.9

SECTION XIV

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 (C) NO(S). 10420/2012

COUNCIL OF SCIENTIFIC AND INDUSTRIAL RESEARCH

PETITIONER(S)

VERSUS

R.S. ANTIL & ORS.

RESPONDENT(S)

(IA No. 71243/2022 - APPLICATION FOR SUBSTITUTION

IA No. 71245/2022 - CONDONATION OF DELAY IN FILING SUBSTITUTION
APPLN.

IA No. 151242/2019 - RECALLING THE COURTS ORDER

IA No. 71247/2022 - SETTING ASIDE AN ABATEMENT

IA No. 71233/2022 - SUBSTITUTED SERVICE)

(IA D. No.70689/2019, 139714/2019, 141218/2021),

(IA D. No.139715/2019, IA D. No.141225/2021, IA D. No.141227/2021).

Date : 01-08-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANDEEP MEHTA
[IN CHAMBER]

For Petitioner(s) Mr. Devesh Maurya, Adv.
Ms. Payal Swarup, Adv.
Mr. Ravi Kumar, Adv.
Mr. K.P. Singh, Adv.
Mr. O.P. Harsh Singh Munaday, Adv.
Ms. Aditi Singh, Adv.
Mr. Govind Kumar Seth, Adv.
Mr. Praveen Swarup, AOR

For Respondent(s) Ms. Meenakshi Chauhan, AOR

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

1. The arguments in the main matters were heard in the year 2021 and the judgment was reserved. However, on 16th September, 2021, this Court noticed that the special leave petition stood rejected against the respondents No.13, 16 and 26/1 for non-curing of defects in the

application for substituted service.

2. The applications being (IA D NO.139714/2019 along with IA D No.139715 of 2019) were filed on 12th September, 2019 for substitution to bring on record the Lrs. of deceased respondent No.26/1 and for condonation of delay in filing substitution application; and another application (IA No.151242/2019) was moved on 28th September, 2019 for recalling Court's order dated 26th August, 2019 which remained defective. In view of the defects in the applications, the same were not listed.

3. Learned counsel for the petitioner has on 02nd August, 2022 filed a letter for withdrawal of applications filed earlier, i.e. Application for substitution (IA D. No.70689/2019, 139714/2019, 141218/2021), Application for condonation of delay in substitution (IA D. No.139715/2019), Application for setting for setting aside abatement (IA D. No.141225/2021) and Application for condonation of delay in filing application for setting aside the abatement (IA D. No.141227/2021).

4. At the request of the learned counsel for the petitioner, the above applications along with IA No.151242/2019 are permitted to be withdrawn.

5. The Court recalled the order dated 15th September, 2021 whereby, the judgment was reserved and the matter has been proceeded thereafter.

6. Now, learned counsel has moved fresh applications for substitution (IA No.71243/2022), condonation of delay in filing the

substitution application (with delay of 3332 and 2265 days) (IA D. No.71245/2022), setting aside abatement (IA No.71247/2022) in respect of deceased respondent Nos.16 and 26/1.

7. For the reasons mentioned in the applications, the same are allowed.

8. Let notices be issued to the Lrs. of Respondent Nos.16 and 26/1.

9. I.A. No.71233/2022 filed for effecting substituting service on respondent No.13 through paper publication in the local newspapers is also allowed. Let the proof of publication be filed within six weeks.

10. List after six weeks.

(Nand Kishor)
Court Master (NSH)

(Geeta Ahuja)
Assistant Registrar-cum-PS