

&
ITEM NO.4

COURT NO.13

SECTION XVI

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

I.A.No. 11

IN

CIVIL APPEAL NO(s). 37 OF 1992

ABHIRAM SINGH

Appellant (s)

VERSUS

C.D. COMMACHEN (DEAD) BY LRS.& ORS.

Respondent(s)

(With appln(s) for impleadment and office report)

Date: 22/04/2013 This Appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE J. CHELAMESWAR
(In Chambers)

For Appellant(s) Mr. Abhay A. Jena, Adv.
Mr. Sarthak Mehrotra, Adv.
Ms. Bina Gupta, Adv.

For applicant Mr. Huzefa Ahmadi, Sr. Adv.
Mr. Ejaz Maqbool, Adv.
Ms. Tanima Kishore, Adv.

For Respondent(s) Mr.Chirag M.Shroff, Adv.

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

In view of the conclusion reached at by a Bench of this Court, recorded in its Judgment and order dated 16.04.1996 in Civil Appeal No.37 of 1992 titled as "Abhiram Singh Vs. C.D.Commachen & Ors." reported in 1996 (3) SCC 665, that apparent conflicting opinion expressed in Dr. Ramesh Yashwant Prabhoo Vs. Prabhakar Kashinath Kunte & Ors. [(1996) 1 SCC 130] are required to be considered by a Constitution Bench of this Court, the instant application came to be filed by the applicant praying that the applicant be allowed to be intervened in the Civil Appeal in which the above mentioned Reference Order came to be passed.

Having regard to the nature of the issue involved in the appeal, I deem it appropriate to direct the applicant to get the application listed along with the above mentioned appeal, where the Constitution Bench may consider the application of the instant applicant.

| (Jayant Kumar Arora)
| Sr. P.A.

| | (S.S.R.Krishna)
| | Court Master