

LISTING ON 15.01.2016

COURT NO.

ITEM NO.

SEC.IV-A

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 28516-28517 OF 2010  
WITH PRAYER FOR INTERIM RELIEF

Bismillah Be (D) by Lrs.

...Petitioners

-Versus-

Majeed shah

...Respondent

OFFICE REPORT

The matters above mentioned were listed before the Registrar on 22.07.2013 with an office report dated 20.09.2010, when the court was pleased to pass the following order:

*"Delay condoned.*

*Having regard to the decision of this Court in Mahendra Raghunathdas Gupta Versus Vishvanath Bhikaji Moguland and Ors. (1997 (5) SCC P. 329), let the notice be issued on the Special Leave Petition."*

Accordingly show cause notice was issued to sole respondent on 28.10.2010 through Regd. A.D. post. Mr. Anoop Kumar Srivastava, advocate has filed vakalat/appearance on behalf of sole respondent.

It is submitted that Mr. Anoop Kumar Srivastava, advocate has on 29.07.2011 filed counter affidavit and the same has already been included in the paper books.

It is further submitted that Ms. Pratibha Jain, Advocate has on 17.07.2013 filed application for substitution to bring on record the Lrs. of deceased sole petitioner but the same was defective as she had not filed chamber summons for effecting service on the proposed Lrs. of deceased sole petitioner.

Thereafter, the matters above mentioned were listed before the Hon'ble Court on 22.07.2013 with an office report dated 20.07.2013, when the court was pleased to pass the following order:

*"An application for substituting the legal representatives of Bismillah Be (petitioner) named in para 3 of the application. The said application is supported by a copy of the death certificate of Bismillah Be, the deceased sole petitioner.*

*Application is allowed.*

*Cause title be amended accordingly.*

*The matter be listed after two weeks."*

Accordingly cause title has been amended.

It is lastly submitted that Ms. Pratibha Jain, advocate has filed vakalat/appearance on behalf of Lrs. of deceased petitioner and also filed rejoinder affidavit along with annexures with the leave of the Hon'ble Court and the copy of the same has already been included in the paper books.

Service of show cause notice is complete.

Thereafter, the matters above mentioned were listed before the Hon'ble Court on 18.07.2014, when the court was pleased to pass the following order:

*"Post the matter on 26th August, 2014 for final disposal."*

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

Dated this the 13<sup>th</sup> day of January, 2016.

ASSISTANT REGISTRAR

Copy to: Ms. Pratibha Jain,, Adv.  
Mr. Anoop Kumar Srivastav, Adv.

ASSISTANT REGISTRAR