

SECTION IV B

Listed on 01.09.2015
IN THE SUPREME COURT OF INDIA Court No. R-2
CIVIL APPELLATE JURISDICTION Item No. 4

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL) NO. 24761 OF
2010

WITH PRAYER FOR INTERIM RELIEF

Amar Singh & Ors. ...Petitioner(s)

Versus

Raghubir Singh & Ors. ...Respondent(s)

OFFICE REPORT

The matter above mentioned was listed before the Hon'ble Court(In Chamber) on 09.02.2015 when the Court was pleased to pass the following order :-

"These applications are allowed. Respondents 12, 16, 17, 18 and 19 remain unserved though notice were issued to them, no report has been received except in respect of respondent No. 16 wherein it is reported that he has died. Accordingly, fresh notice be issued to respondents 12, 17, 18 and 19 and steps for substitution of deceased respondent No. 16 be taken within four weeks."

It is submitted that there are total 19 respondents in the instant matter. Mr. Balbir Singh Gupta, Advocate has filed vakalatnama/memo of appearance on behalf of Respondent Nos. 4, 6, 7, 9, 10, 11, 13, 14 and has filed counter affidavit on behalf of Respondent Nos. 4 & 6. Respondent Nos. 15(i)(iv) and 17 and 19 have been served by Registered A.D. Post but no one has entered appearance on their behalf so far.

It is further submitted that respondent Nos. 1, 2, 3, 5, 8 and 12 have expired and their LRs. have been brought on record pursuant to Hon'ble Court(In Chamber) Order dated 09.02.2015. Mr. Balbir Singh Gupta, Advocate

has filed vakalatnama/memo of appearance on behalf of proposed LR's. Nos. 1(viii)1(ix), 1(x)(i), 1(x)(ii), 1(x)(iii), 1(x)(iv) and 2(iii)(iv), 2(i)(a), 2(i)(b), 2(i)(D), 2(i)(E), 2(i)(F) and 3(i),(ii)(iii), 5(i),(ii)(iii), 8(i)(ii)(iii)(iv)(v), 12(ii)(iii)(iv)(v) and also filed counter affidavit and also filed Vakalatnama on behalf of 1(a)1(c). No one has entered appearance on behalf of proposed LR's. Nos. 1(b), 1(d), 1(ii), 1(iii)(a) to (iii)(c), 1(iv), 1(v), 1(vi)(a) to 1(vi)(e), 1(vii), 3(iv).

It is further submitted that respondent Nos. 12(i), 16, 17 and 17(iii) have expired. Mr. U. S. Prasad, counsel for the petitioner has on 20.04.2015 filed an application for substitution of deceased respondent Nos. 12(i), 17 and 17(iii) and condonation of delay in filing substitution application and setting aside abatement and official translation of Death certificate and has also filed application for deletion of respondent No. 16, but the same is defective for the reasons that counsel has not filed affidavit in support of the deletion application and has not filed separate application for deletion. Counsel has not cured the said defects so far despite this registry's letter dated 06.05.2015.

It is further submitted that in respect of unserved respondent No. 18 has not taken any steps so far.

Service of show cause notice on respondent Nos. 12(i), 16, 17 & 7(iii) & 18 is incomplete.

The matter is listed before the Ld. Registrar's Court with this office report.

Dated this the 31st day of August, 2015.

ASSISTANT REGISTRAR

Copy to: Mr. U. S. Prasad, Advocate.

Mr. Balbir Singh Gupta, Advocate.

ASSISTANT REGISTRAR

Rajesh