

SECTION XI
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

LISTED ON :09.09.2016
Court No. : 4
Item No. : 34

INTERLOCUTORY APPLICATION NO. 1

(Application for Permission to file SLP)

AND

INTERLOCUTORY APPLICATION NO. 2

(Application for Substitution)

AND

INTERLOCUTORY APPLICATION NO. 3

(Application for Condonation of delay in brining legal heirs on record)

AND

INTERLOCUTORY APPLICATION NO.

(Application for Condonation of Delay in refiling the SLP)

AND

INTERLOCUTORY APPLICATION NO.

(Application for Permission to file additional documents)

AND

INTERLOCUTORY APPLICATION NO.

(Application for Exemption from filing official translation)

IN

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL) NO. CC... 16098 OF 2016

WITH PRAYER FOR INTERIM RELIEF

RUSTOM K. GHANDHI (DEAD) & ANR

...PETITIONER(s)

VERSUS

TARUN AGARWALA AND ORS

...RESPONDENT(s)

OFFICE REPORT

The Special Leave Petition above-mentioned has been filed against the Judgment and Order dated 10.05.2016 passed by the High Court of Judicature at Allahabad, in CMWP No. 3106 of 1999.

It is submitted that initially the SLP was filed within time but there is a delay 24 days in refiling the Special Leave Petition and counsel has filed an application for condonation of delay to condone the said delay.

It is further submitted that Legal representative No. 1 viz. Jahangir Dhunji Shaw was already party in the High Court.

It is further submitted that Counsel for the Petitioner has filed application for substitution on behalf of Petitioner No. 1 viz. Rustom K. Gandhi who had expired on 23.12.2014 alongwith application for condonation of delay in filing the substitution application as there is a delay of 523 days in filing the substitution

application with a prayer to set aside the abatement.

It is further submitted that leave in SLP(C) No. 17894 of 2010 relating to grant of free hold rights of Suit property was granted on 04.07.2011 by this

Hon'ble Court. The same is registered as C.A. No. 5729 of 2011 and is pending. (Copy of order dated 04.07.2011 is enclosed).

It is lastly submitted that SLP(C) Nos. 18393-95 of 2007 relating to same Suit Property was dismissed by the Hon'ble Court on 20.03.2009. (Copy of order dated 20.03.2009 is enclosed).

The matter above-mentioned is listed before the Hon'ble Court with this office report.

Dated this the 07th day of September, 2016.

ASSISTANT REGISTRAR

Copy to:

Mr. Siddhartha Chowdhury, Advocate.

ASSISTANT REGISTRAR