

SECTION IV B

Listed on 01.12.2015

Court No. R-2

IN THE SUPREME COURT OF INDIA Item No. 8
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL)NO. 17945 OF 2011.

WITH PRAYER FOR INTERIM RELIEF

Ram Lubhaya & OrsPetitioner(s)

Versus

Lachhmi (D) Thr. Lrs. & OrsRespondent(s)

OFFICE REPORT

The matter above mentioned was listed before the Id. Registrar on 22.01.2014, when the following order was passed:-.

"Id. Counsel for the petitioner seeks time for curing the defects in the substitution application. Four weeks time is granted as a last chance. List the substitution application before the Hon'ble Judge in chambers thereafter. Await orders."

The matter above mentioned was listed before the Hon'ble Court (In Chamber) on 02.09.2014, 27.07.2015 and 08.10.2015 , when the Court was pleased to pass the following order:-

"Order dated 02.09.2015

Learned counsel for the petitioner stated that he has given fresh addresses of proposed legal representatives on 30.07.2014. The office to verify. In case any default subsists, the same shall be removed within a period of fifteen days failing which the special leave petition shall stand dismissed without further reference to the court."

Order dated 27.07.2015

As a last chance, three weeks' time is granted to learned counsel for the petitioners to file affidavit with proof of service of notice of motion.

Order dated 08.10.2015

There is no opposition to the

application for substitution. In the facts of the case, the delay is condoned.

Let the legal representatives of the deceased respondents 2-4 be substituted.

Amended memo of parties be filed within four weeks.

I.A. No.10 for setting aside abatement is allowed."

It is submitted that there are total four respondents. Mr. Abhinav Mukherji, Advocate has entered appearance for Respondent No.1(i) to 1(v) and filed reply to the SLP on their behalf.

It is further submitted that Counsel for the petitioner has on 30.07.2015 filed Affidavit with proof of service of Notice of Motion stating therein that Notice of Motion to proposed LRs of deceased Respondent No. 2(i-iii) and proposed LRs of deceased Respondent No. 4(i-ii) have been served. He has further stated that the family members of proposed LRs nos. 3(i-iii) and 4(iii) have refused to accept Notice of Motion and the same have been affixed at their residence. The service of Notice of Motion as refused is treated as complete. No one has entered appearance on behalf of served proposed LRs so far.

The matter above mentioned is listed before Ld. Registrar with this office report.

Dated this the 30th day of November, 2015. .

ASSISTANT REGISTRAR

Copy to :-Mr. J. P. Dhanda, Adv.
66, Old Block,
Lawyer's Chamber, S.C.I

Mr. Abhinav Mukerji, Adv.
G-26(Basement), Jangpura Extn.
New Delhi-110014

ASSISTANT REGISTRAR