

SECTION XII-A
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION NO. 8/2015

(Application for substitution to bring on record the Lr. of deceased Respondent Nos. 5 and 7 in CA No. 4736 of 2010 and Respondent Nos. 83 & 85 in CA No. 4733 of 2010)

AND

INTERLOCUTORY APPLICATION NO. 9/2015

(Application for condonation of delay in filing substitution application and setting aside the abatement)

AND

INTERLOCUTORY APPLICATION NO. 10/2015

(Application for exemption from filing death certificate in respect of Respondent No. 7 in CA No.4736 of 2010 & Respondent No. 85 in CA No.4733 of 2010)

IN

CIVIL APPEAL No. 4736 of 2010.

AND

CIVIL APPEAL No. 4733 of 2010.

SHAREEFUNNISA BEGUM ETC.

...APPELLANT

-VERSUS-

B. CHINNA NARASIMHA & ORS. ETC.

...RESPONDENTS

OFFICE REPORT

It is submitted to the Hon'ble Court that Dr. Kailash Chand, Advocate, now Mr. R. Chandrachud, Advocate has on 25th February, 2015 filed an application for substitution to bring on record the Lr. of deceased common Respondent Nos. 5 and 7 in CA Nos. 4736 and Respondent No. 83 and 85 in CA No. 4733/2010 alongwith an application for condonation of delay in filing substitution and setting aside abatement counsel for the Appellant has on 4th February, 2016 filed an application for exemption from filing death certificate of common Respondent No.7 in CA No. 4736 of 2010 and Respondent No. 85 in CA No. 4733 of 2010 as counsel has not filed the same so far. The said application have been registered as I.A.Nos.8, 9 and 10 respectively and placed before the Hon'ble Court for its kind perusal.

Service position:-

Civil Appeal No. 4736 of 2010:-

There are 113 Respondents. Respondent Nos. 1 and 85 are represented by Ms. Rekha Pandey, Advocate. Respondent Nos. 22 to 25 are represented by Mr. A Venayaga Balan, Advocate. Respondent Nos. 61, 63, 65, 88, 90-93 & 98 are represented by Mr. Manoj C. Misra, Advocate. Respondent Nos. 38 & 40 are represented by Ms. T. Anamika, Advocate, Respondent Nos. 39 & 46 are represented by M/s. Lawyer's Knit & Co., Advocate

It is also submitted that name of Respondent No. 21 & 68 have been deleted and apped qua respondent No. 89 stands abated. Cause title has been amended vide Court's order dated 27th January, 2015.

Certificate of service in respect of Respondent Nos. 2 to 4, 6, 20, 42, 43, 33, 36, 64, 99, 100 to 105, 108 and 109 have been received from High Court but no one has entered appearance on their behalf so far.

It is submitted that name of Respondent Nos. 9,19, 31-32, 34, 35, 37, 69 and 77 have been deleted and service of notice on Respondent Nos. 8, 26-30, 41, 44-45, 47-62, 66, 67, 70-76, 78-87, 94-97, 106 -107 and 110 to 113 is dispense with vide Court's order dated 18th February, 2011 passed in I.A Nos. 4 and 5.

Service is incomplete on proposed Lr. of deceased Respondent Nos. 5 and 7 in CA No.4736 of 2010 and Respondent Nos. 83 & 85 in CA No. 4733 of 2010.

Civil Appeal No. 4733 of 2010:-

There are 113 Respondent in the Appeal. Respondent Nos. 32, 33, 34, 35 are represented by Mr. A. V. Venayagam Balan, Advocate and Respondent No. 79 is represented by Ms. Rekha Pandey, Advocate. Respondent Nos. 49 & 56 are represented by M/s. Lawyer's Knit & Co., Advocates Respondent Nos. 48, 54 & 50, 55 are represented by Ms. T. Anamika, Advocate, Respondent nos. 4 to 6, 10, 14-17, 110 and 111 have been served with the notice but they have not entered appearance before this Court so far.

Service is complete on Respondent Nos. 2, 3, 7, 8, 11, 12, 13, 52-53, 73 to 75, 78, 87, 109 and 112 through affidavit of service but no one has entered appearance on their behalf so far.

It is further submitted that the name of Respondent nos. 1, 9, 19 to 29, 41, 44, 45 47 and 113 have been deleted from the array of parties vide Hon'ble Judge in Chambers order dated 18.02.2011, 8.8.2014 and service of notice on Respondent nos. 18, 30-40, 42, 43, 51, 57-72, 77, 80-82, 84 and 86, 88 to 108 have been dispensed with. Notice of service on Respondent No. 46 has also been dispensed with vide Ld. Registrar Order dated 25th April, 2014.

Service is incomplete on proposed Lr. of deceased Respondent Nos. 83 & 85.

The applications in the matters above-mentioned are placed before the Hon'ble Court (IN CHAMBERS) with this office report.

Dated this, the 11th day of February, 2016.

ASSISTANT REGISTRAR

Copy to:-

1. Mr. R. Chandrachud, Advocate, 9899374055
2. Ms.Rekha Pandey, Advocate
3. Mr. A.V.Balan, Advocate, 9873874363
4. Mr. Manoj C. Mishra, Advocate, 9582260982
5. Ms. T. Anamika, Advocate, Ch.No. 63.

ASSISTANT REGISTRAR