

LISTING ON 22.02.2016

COURT NO. 10

ITEM NO. 49

SEC.IVA

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) Nos. 23160-161 OF  
2012  
WITH PRAYER FOR INTERIM RELIEF

Surendra Kr. Agarwal & Ors. . . . .PETITIONERS

VERSUS

Narayan Pd. Agarwal & Anr. . . . .RESPONDENTS

OFFICE REPORT

The matters above mentioned were listed before the Hon'ble Court on 1.10.2013 with an office report dated 30.9.2013 when the Hon'ble Court was pleased to pass the following order:

*"Post after ensuing Dussehra  
holidays."*

It is submitted that the amount of Rs. 6,18,114.49/- + interest has been reinvested with Central Bank of India for the period of six months w.e.f. 15.10.2015 which will be matured on 15.04.2016.

Service of Show Cause Notice is complete.

It is further submitted that counsel for the petitioners has on 17.02.2016 filed an application for bringing on record the Lrs. of petitioner no. 2 with annexure A-1 (death certificate) and exemption from filing official translation which is barred by time by 321 days. The same is defective for the following reasons:-

1. Application for condonation of delay in filing application for bringing on record the Lrs. not filed.
2. Not mentioned that "No other Lrs. except mentioned in application".
3. Not mentioned in application for setting aside abatement.
4. Pagination of annexure A-1 has not mentioned in application.

It is lastly submitted that counsel for the petitioners has on 19.02.2016 filed another application for bringing on record the Lrs. of petitioner no. 4 with affidavit along with vakalat/appearance on behalf of all the Lrs. Of deceased petitioner no. 4 but the aforesaid application is defective as "No other Lrs. except mentioned in application".

As the matter is on board, copies of the document are being circulated with this office report.

The matters are listed before the Hon'ble Court with this Office Report.

Dated this the 20th day of February, 2016.

ASSISTANT REGISTRAR

COPY TO : Mr.Vipin K. Jai, Advocate.  
M/s. Y.P Dhingra, Advocate.  
Mr. Robin Majumdar, Advocate

ASSISTANT REGISTRAR