

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 382 OF 2000

SAKAMMA (DEAD)

Appellant (s)

VERSUS

GIRIGOWDA AND ANR.

Respondent(s)

(With appln(s) for substitution,exemption from filing O.T.,c/delay in filing substitution appln.,permission to submit additional document(s) and office report)

Date: 17/03/2005 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE H.K. SEMA

For Appellant(s)

Mr. Sanjay Parikh,Adv.

For Respondent(s)

Mr. R.S. Hegde, Adv.

Mr. G.V. Chandrashekar, Adv.

Mr. P.P. Singh,Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard the parties.

The prayer for condonation of delay in filing the substitution

application is refused and the substitution application is dismissed as barred by limitation. Consequently, the appeal is dismissed as the same abated.

[ Charanjeet Kaur ]

[ Om

Prakash ]

Court Master

Cour

t Master

[ Signed order is placed on the file ]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 382 OF 2000

Sakamma (Dead) .. Appellant(s)

Versus

Girigowda & Anr. .. Respondent(s)

O R D E R

Heard the parties.

A petition for substitution has been filed on the ground that the

deceased appellant executed a registered Will on 2.8.2000 in favour of the applicant H.R.

Basavaraj. Along with the same, an application for condonation of delay in filing the

substitution application has been also filed. The prayer for substitution has been opposed on

behalf of respondent No. 2 on merits as well as on the ground that delay in filing the

application for substitution is not fit to be condoned. In our view, no sufficient ground for

condoning the delay in filing the substitution application is made out.

Accordingly, the prayer for condonation of delay in filing the substitution

application is refused and the substitution application is dismissed as barred by limitation.

Consequently, the appeal is dismissed as the same abated.

[ B.N. AGRAWAL ]

.....J

[ H.K. SEMA ]

.....J

NEW DELHI,

MARCH 17, 2005.