

Listed on 29.11.2016  
Court No. 09  
Item No. 24

**SECTION XII**

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

**CIVIL APPEAL No. 13516 of 2015**

Ferrodous Estates Pvt. Ltd. ...Appellant

Versus

P. Gopirathnam (Dead) & Ors. ...Respondents

**OFFICE REPORT**

The matter above mentioned was listed before the Hon'ble Court on 21<sup>st</sup> April, 2014, when the Hon'ble Court was pleased to pass the following Order:-

**"Heard.**

**Pleadings are complete.**

**Post for final disposal on a non-miscellaneous day.**

**Mr. Ranjit Kumar, learned senior counsel appearing for respondent No. 4, submits that respondent no. 1 had died in as early as in the year 1997 but the petitioner has not taken any step for bring on record the legal representatives of the same either before the High Court or before this Court. The special leave petition would according to him would abate qua the said respondent. Mr. U.U, Lalit, learned senior counsel appearing for the petitioner, seeks some time to verify the position and if necessary to take appropriate steps in the matter."**

It is further submitted that there are seven respondents. Respondent No. 1 is dead but Counsel for the Petitioner has not taken steps in view of Hon'ble Court's order dated 21<sup>st</sup> April, 2014 so far. However, Ms. Geetha Kovilan, Advocate has on 18<sup>th</sup> July, 2014 filed a letter in view of Hon'ble Court's order dated 21<sup>st</sup> April, 2014 stating therein that in view of relinquishment of interest in the suit properties by the

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deceased respondent no. 1 herein he did not bring the L.Rs of the deceased respondent no. 1 herein, on record before the Hon'ble High Court and though after noticing the aforesaid fact some of the order passed by the Hon'ble High Court in some Interlocutory proceedings mentions the deceased first respondent herein as deceased, unfortunately the Impugned order dated 21/01/2007 passed by the Hon'ble High Court of Madras, in O.S. no. 93/1991 does not indicate the same. Copy of letter dated 18.7.2014 is enclosed herewith for the kind perusal of the Hon'ble High Court.

It is further submitted that Respondent Nos. 2(a), 2(b), 3, 4(a) and 4(b) are represented by Mr. Vikas Mehta, Advocate. Respondent Nos. 4(d) and 4(e) are represented by Mr. Vijay Kumar, Advocate. Respondent Nos. 4(c), 5, 6 and 7 have been served at Special Leave Petition stage but no one has entered appearance so far.

Subsequently, the matter above mentioned was listed before the Hon'ble Court on 17<sup>th</sup> November, 2015, when the Hon'ble Court was pleased to pass the following Order:-

**"Leave granted.**

**Let this appeal be listed in the month of March, 2016 for final disposal."**

And, the matter above mentioned was listed before the Hon'ble Court on 8<sup>th</sup> March, 2016, when the Hon'ble Court was pleased to pass the following Order:-

**"Learned counsel for the respondents states that the parties are negotiating for an amicable settlement.**

**Post for hearing after four weeks on a non-miscellaneous day."**

It is submitted to the Hon'ble Court that no intimation/documents regarding amicable settlement in the matter has been filed so far.

Lastly, the matter above mentioned was listed before the Hon'ble Court on 25<sup>th</sup> October, 2016, when the Hon'ble Court was pleased to pass the following Order:-

**"We are informed that respondent no. 5 had passed away. Learned counsel for the petitioner wants to bring the legal representative(s) of the said respondent on record. He further submits that for this purpose he has already addressed a letter to the respondents to furnish the particulars of the legal representatives of the said respondent. Let an application be filed within four weeks.**

**List the matter after four weeks."**

It is submitted to the Hon'ble Court that Mr. Naresh Kumar, Counsel for the appellant has not filed application for substitution to bring on record Lrs. of deceased Respondent No. 5 so far.

It is further submitted that Original Record has been received from the High Court and the same is available for ready reference of the Hon'ble Court.

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

Dated this, the 28<sup>th</sup> day of November, 2016.

**ASSISTANT REGISTRAR**

COPY TO: Mr. Naresh Kumar, Advocate  
Mr. Vijay Kumar, Advocate  
Mr. Vikas Mehta, Advocate

**ASSISTANT REGISTRAR**

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