

SECTION XII

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No. 3117 of 2007

WITH

INTERLOCUTORY APPLICATION NO. 5

(Application for bringing on record the legal representatives of deceased respondent No. 1)

AND

INTERLOCUTORY APPLICATION NO. 6

(Application for condonation of delay in filing substitution application)

R. SureshlalAppellant
Versus
Duraismy (Dead) & Ors. ...Respondents

OFFICE REPORT

The matter above mentioned was listed before the Ld. Registrar's Court on 16th November, 2016, when the following order was passed:-

"None appears for the proposed legal representative nos.1 and 3 of deceased respondent no.1, 3(i), 5 and 6 despite due service.

Ld. Counsel for the appellant to take fresh steps to effect service on the proposed legal representative no.2 of deceased respondent no.1 within two weeks time. Notice thereafter be issued.

Respondent nos. 3 and 4 are duly represented.
List again on 10.1.2017."

AND thereafter, the matter above mentioned was lastly listed before the Ld. Registrar's Court on 10th January, 2012, when the following order was passed:-

"Delay in filing fresh address of proposed legal representative no. 2 of deceased respondent no. 1 is condoned. Issue notice forthwith.

List again on 8.2.2017."

Accordingly, show casue notice has been issued to Legal Representative No. 2 of deceased Respondent No. 1 on 18th January, 2017. As per postal track report "Item delivery attempted Not Known". Hence, service on Legal Representative No. 2 of deceased Respondent No. 1 is incomplete.

It is further submitted that notice on Interlocutory Application Nos. 5 and 6 was issued on 26th September, 2016. As per postal track report notice was served on Legal Representative Nos. 1 and 3 of deceased Respondent no. 1 but no one has entered vakalatnama and appearance on their behalf so far.

It is also submitted that there are six respondents in the matter. Respondent Nos. 3 and 4 are represented by Mr. R. A. Perumal, Advocate. Respondent Nos. 5 and 6 have been served at Special Leave Petition stage and Respondent No. 2(i) was served through Trial Court but no one has entered vakalatnama/appearance on their behalf so far.

Service is not complete on Legal Representative No. 2 of deceased Respondent No. 1.

The matter alongwith application above mentioned is listed before the Ld. Registrar's Court with this office report.

Dated this the 7th day of February, 2017.

ASSISTANT REGISTRAR

Copy to:
Mrs. Revathy Raghavan, Advocate
Mr. R.A. Perumal, Advocate

ASSISTANT REGISTRAR

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