

SECTION XII
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION NO. 6

(Application for substitution on record the legal
representatives of deceased Respondent No. 9)

AND

INTERLOCUTORY APPLICATION NO.

(Application for substitution of legal
representatives of deceased Petitioner)

AND

INTERLOCUTORY APPLICATION NO.

(Application for Condonation of delay in filing
substitution application of deceased Petitioner)

IN

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) No. 31184 of 2011

R. Premavathy and Ors. ...Petitioners
versus
S. Prabhavathy & Ors. ...Respondents

OFFICE REPORT

The application for substitution on record the legal
representatives of deceased Respondent No. 9 and condonation of
delay in filing the substitution application in the matter above
mentioned was listed before the Hon'ble Judge-in-Chambers on 1st
December, 2016, when Court was pleased to pass the following
order:-

**"No one appears for the parties.
Delay condoned.
Issue notice on the application for
substitution."**

AND thereafter, the matter above mentioned was listed before
the Ld. Registrar's Court on 3rd October, 2016, when the
following order was passed:-

**"File not received.
List again on 15.11.2016."**

Accordingly, show cause notice in Interlocutory Application
No. 9 has been issued to sole Legal Representative of deceased
Respondent No. 9 on 19th April, 2016. Neither AD Card nor
unserved registered cover has been received. Hence service on
Legal Representative is incomplete.

AND thereafter, Counsel for the Petitioner has on 26th May, 2016 filed application for bringing the Legal Representatives of deceased Petitioner No. 1, which is defective for the following reasons:

1. Copy of the application has not been served on Mr. Bijan Kumar Ghosh, Advocate for Respondent No. 2.
2. Death Certificate of Petitioner No. 1 is not filed.
3. In the application there are no other surviving Legal Representatives of the deceased Petitioner No. 1
4. Preamble of the application for condonation of delay at page no. 5, you have mentioned application for bringing on record the Legal Representatives of deceased Respondent No. 1 instead of deceased Petitioner No. 1.

It is submitted that Counsel for the Petitioner has not cured the above mentioned defects till date.

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

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

ASSISTANT REGISTRAR

COPY TO: Mr. P.Soma Sundaram, Advocate.
Mr. Bijan Kumar Ghosh, Advocate
Mr. K. Ramkumar & Associates, Advocate.

ASSISTANT REGISTRAR

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