

ITEM NO.4 Court 8 (Video Conferencing) SECTION III-A **REVISED**

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

Civil Appeal Nos.17411-17412/2017

JAGVIR & ORS. Appellant(s)

VERSUS

STATE OF U.P. & ORS. Respondent(s)

IA No. 64241/2020 - APPLICATION FOR SUBSTITUTION
IA No. 66121/2020 - CONDONATION OF DELAY IN FILING SUBSTITUTION
APPLN.
IA No. 64240/2020 - DELETING THE NAME OF PETITIONER/RESPONDENT)

WITH

C.A. No. 17413-17414/2017 (III-A)
(FOR DELETING THE NAME OF PETITIONER/RESPONDENT ON IA 64237/2020
FOR APPLICATION FOR SUBSTITUTION ON IA 64238/2020
FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA
66117/2020
IA No. 64238/2020 - APPLICATION FOR SUBSTITUTION
IA No. 66117/2020 - CONDONATION OF DELAY IN FILING SUBSTITUTION
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IA No. 64237/2020 - DELETING THE NAME OF PETITIONER/RESPONDENT)

Date : 10-09-2020 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY
[IN CHAMBERS]

For Appellant(s) Mr. Vineet Bhagat, AOR

For Respondent(s) Mr. Wrick Chatterjee, Adv.
Mr. Tanmaya Agarwal, AOR

UPON hearing the counsel the Court made the following
O R D E R

Mr. Vineet Bhagat, learned counsel appearing for the appellants submits that five legal representatives of *Late Abhay Pal Singh* (R.No.5) in Civil Appeal Nos.17411-17412/2017, are not traceable and therefore the I.As. have been filed for deletion of

the names of R.Nos.5(i), 5(ii), 5(iii), 5(iv) & 5(v). The same party, *Abhay Pal Singh* is also appearing as R.No.13 in the Civil Appeal Nos.17413-17414/2017 and the same set of LRS were substituted.

Having regard to the above submission of the learned counsel for the appellant, name of R.Nos.5(i) (*Anoop Singh s/o late Abhay Pal Singh*), 5(ii) (*Arun Kumar s/o late Abhay Pal Singh*), 5(iii) (*Dhirendra s/o Attar Singh*), 5(iv) (*Sudhir s/o Attar Singh*) & 5(v) (*Smt.Kamlesh widow of Attar Singh*) in C.A.Nos.17411-17412/2017 and the same set of Lrs of R.No.13 in C.A.Nos.17413-17414/2017 are permitted to be deleted from the array of parties, at the risk of the appellants.

The learned counsel next submits that *Narain s/o Jhandu*, R.Nos.3 and 8 respectively, in both appeals had died on 22.11.2016 and accordingly applications are filed for substitution of the son, in place of the deceased *Narain*.

In view of above, applications for substitution in both matters are allowed and the delay in filing the same is condoned.

The Registry to make necessary corrections in the cause title, following the above deletion and substitution.

(RACHNA)
SENIOR PERSONAL ASSISTANT

(KAMLESH RAWAT)
COURT MASTER (NSH)

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Mr. Vineet Bhagat, learned counsel appearing for the appellants submits that five legal representatives of *Late Abhay Pal Singh* (R.No.5) in Civil Appeal Nos.17411-17412/2017, are not traceable and therefore the I.As. have been filed for deletion of the names of R.Nos.5(i), 5(ii), 5(iii), 5(iv) & 5(v). The same

party, *Abhay Pal Singh* is also appearing as R.No.13 in the Civil Appeal Nos.17413-17414/2017 and the same set of LRS were substituted.

Having regard to the above submission of the learned counsel for the appellant, name of R.Nos.5(i) (*Anoop Singh s/o late Abhay Pal Singh*), 5(ii) (*Arun Kumar s/o late Abhay Pal Singh*), 5(iii) (*Dhirendra s/o Attar Singh*), 5(iv) (*Sudhir s/o Attar Singh*) & 5(v) (*Smt.Kamlesh widow of Attar Singh*) are permitted to be deleted from the array of parties, at the risk of the appellants.

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