

SECTION XV
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 26349/2013
WITH PRAYER FOR INTERIM RELIEF

THE PUNJAB STATE COOP BANK LTD. . . .PETITIONER
VERSUS
HAKIM SINGH & ORS. . . .RESPONDENTS

OFFICE REPORT

The matter above-mentioned was listed before the Ld. Registrar Court on 16.11.2016, when the Court was pleased to pass the following order:

"Dr. Kailash Chand, Ld. Counsel undertakes to appear for the sole Lr. Of deceased respondent No. 1. He seeks and is given two weeks time to file the vakalatnama and four weeks time to file the counter affidavit. Ld. Counsel for the petitioner is directed to serve the copy of pleading to the said respondent within one week after filing the vakalatnama.

The previous statement of the petitioner recorded on 4.10.2016 stands corrected that there is no lrs. Of deceased respondent No. 1. Therefore, Ld. Counsel for the petitioner is also directed to file an application for substitution for deceased respondent No. 1 within four weeks.

List the matter again on 02.01.2017."

It is submitted that the Advocate for the petitioner has not filed proof of service on Dr. Kailash Chand, Advocate and Dr. Kailash Chand, Advocate has not filed vakalatnama and counter affidavit on behalf of respondent No.1.

It is further submitted that the advocate for the petitioner has on 15.12.2016 filed an application for bring on record the LR's. of deceased Respondent No. 1, application for condonation of delay in filing the application for substitution, setting aside the abatement and exemption from filing official translation. The said application is defective for the reason that age of LR to be substituted has not been given and notice of motion has not been filed alongwith the application, The advocate has been informed in this regard vide letter dated 16.12.2016, but defects have not been cured so far.

Service is incomplete on respondent No. 1.

The matter above-mentioned is listed before the Ld. Registrar Court with this office report.

Dated this the 22nd day of December, 2016.

ASSISTANT REGISTRAR

Copy to: 1. Mr. Abhishek Atrey, Adv.
2. Mr. D.S. Mahra, Adv.

ASSISTANT REGISTRAR

3/KS/OR