

SECTION XII

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION NO. _____

(Application for substitution to bring on record the
Legal Representatives of deceased Respondent No. 1)

WITH

INTERLOCUTORY APPLICATION NO. _____

(Application for condonation of delay in filing
substitution application and setting aside abatement in
respect of respondent no. 1)

WITH

INTERLOCUTORY APPLICATION NO. _____

(Application for condonation of delay in filing
substitution application and for setting aside abatement)

IN

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 26776 OF 2008

Subramaniam ...Petitioner

Versus

Masanammal & Ors. ...Respondents

OFFICE REPORT ON DEFAULT

The matter above mentioned was listed before the
Hon'ble Court on 3rd November, 2008, when the Hon'ble
Court was pleased to pass the following order:-

**"Delay condoned
Issue notice."**

It is submitted that Ms. V. Mohana, Advocate has on
13th August, 2014 filed an application for substitution to
bring on record the Legal Representatives of deceased
Respondent No. 1 with application for condonation of
delay in filing substitution application and setting
aside of abatement. It is barred by time by 1099 days.
The application is defective that the counsel for the
petitioner has not filed original death certificate for
deceased respondent No. 1.

The default of the Counsel for the Petitioner was listed before the Hon'ble Court on 1st February, 2017, when the court was pleased to pass the following order:-

"It is submitted that the legal representatives of deceased respondent Nos. 4, 6 and 8 are already on record.

Delay in filing application for substitution is condoned.

Abatement is set aside.

Application for substitution to bring on record the legal representatives of deceased respondent Nos. 4, 6 and 8 is allowed

List the application for substitution to bring on record the legal representatives of deceased respondent No.1 on 6th February, 2017."

It is submitted that in view of the above order, cause title is yet to be amended. As regards Hon'ble Court's order dated 1st February, 2017, directions have been given to list the application for substitution to bring on record the legal representatives of deceased respondent No. 1 on 6th February, 2017. In this connection it is submitted that Counsel for the petitioner has not filed the original death certificate of respondent No. 1 as yet.

Therefore, the unregistered application is placed before the Hon'ble Chamber Judge with this office report.

Dated this, the 4th day of February, 2017.

ASSISTANT REGISTRAR

Copy to : Mr. Vijay Kumar, Advocate
Mr. Vipin Nair, Advocate

ASSISTANT REGISTRAR

pb

