

ITEM NO.1

COURT NO.3

SECTION IX

S U P R E M E C O U R T O F I N D I A
 RECORD OF PROCEEDINGS
 IA 1/2010
 in
 CIVIL APPEAL NO. 3128 OF 2000

SUDAM GANPAT KUTWAL

Appellant (s)

VERSUS

SHEVANTABAI TUKARAM GULUMKAR (DEAD)BY LR

Respondent(s)

(With appln(s) for substitution and office report)

Date: 27/08/2010 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN
 HON'BLE MR. JUSTICE H.L. GOKHALE

For Appellant(s)

Mr. Ravindra Keshavrao Adsure,Adv.

For Applicant(s)

Mr. Arvind Gupta,Adv.
 Ms. Chandana Ramamurthi,Adv.

For Respondent(s)

Ms. Bina Gupta,Adv.

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

Delay is condoned in the filing the
 application for substitution. Application for
 substitution is allowed and applicants are permitted
 to be shown as LRs of the deceased appellant in
 terms of the signed order.

(O.P. Sharma)

(M.S. Negi)

Court Master

Court Master

(Signed order is placed on the file)

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IN THE SUPREME COURT OF INDIA
 CIVIL APPELATE JURISDICTION

IA 1/2010

in

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Respondent(s)

O R D E R

The appeal was disposed of by order dated 8.8.2006. The appellant was represented by a power of attorney holder in the appeal. The appellant died on 15.9.2003 but as he was shown as represented by his attorney holder, the LRs who were unaware of the matter did not make any application to come on record. Nor did the power of attorney holder who was pursuing the appeal bring the fact of death of the appellant to the notice of the court. The appeal was allowed. Subsequently, the LRs (widow and children) having come to know about the matter have filed the application. In the peculiar circumstances, delay is condoned in filing the application for substitution. Application for substitution is allowed. Applicants are permitted to be shown as LRs of the deceased appellant.

.....J.
[R.V. RAVEENDRAN]

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.....J.
[H.L. GOKHALE]

NEW DELHI
DATED AUGUST 27, 2010