

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

IA No.1-3 In Petition(s) for Special Leave to Appeal
Civil)...../2010

(CC 17977/2010)

(From the judgement and order dated 25/03/2008 in
of The HIGH COURT OF UTTARAKHAND AT NAINITAL)

WP No. 103/2002

KUNDAN LAL (D) BY LRS.

Petitioner(s)

VERSUS

EXEC.ENG.PWD PAURI GARWAL & ORS.

Respondent(s)

(With appln(s) for substitution and permission to file SLP and
c/delay in filing substitution appln.and office report)

Date: 14/01/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr.Aditya Singh, Adv.

For Respondent(s)

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

This is a petition for setting aside order dated 25.3.2008
passed by the learned Single Judge of the Uttarakhand High Court,
who dismissed the writ petition filed by Shri Kundan Lal (husband
of petitioner No.1 and father of petitioner Nos. 2 and 3). The
petitioners have also filed I.A. Nos. 1 to 3 for permission to file
the special leave petition, I.A. No.4 for substitution of
petitioner Nos. 1 to 3 as legal representatives of Kundan Lal, who
is said to have died on 9.12.1998 and I.A. N.5 for condonation of
delay in filing the application for substitution. They have also

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filed an application for condonation of 749 days' delay in filing
of the special leave petition.

We have heard Shri Aditya Singh and perused the record. In
our opinion, there is no valid ground to entertain the prayer of
the legal representatives to be substituted in place of the
deceased Kundan Lal because no application was filed by them before
the High Court for being substituted in place of the deceased and

the application before this Court is delayed by 4350 days.

Not

only this, the explanation for condonation of 749 days' delay is wholly unsatisfactory.

With the above observations, all the applications and the special leave petition are dismissed.

(Satish K.Yadav)
Court Master

(Phoolan Wati Arora)
Court Master