

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

Petition(s) for Special Leave to Appeal (Civil) No(s).19010/2008

(From the judgement and order dated 13/04/2007 in RFA No.835/2000 of The
HIGH COURT OF KARNATAKA AT BANGALORE)

M.KUPPASWAMY (D) TR.LRS. Petitioner(s)

VERSUS

R.VANDANA Respondent(s)

(With office report)

WITH

SLP(C) NO.26420 of 2008
(With appln(s) for permission and office report)

SLP(C) NO.28027 of 2008
(With office report)

SLP(C) NO.28028 of 2008
(With appln.(s) for substitution and c/delay in filing substitution
application and withdrawal of SLP and office report)

Date: 26/07/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA
HON'BLE MR. JUSTICE KURIAN JOSEPH

For Petitioner(s) Mr. S.K. Kulkarni, Adv.
Mr. M. Gireesh Kumar, Adv.
Mr. Ankur S. Kulkarni, Adv.
Mr. Vijay Kumar, Adv.

Mr. S. Srinivasan, Adv.

Mr. Balaji Srinivasan, Adv.

For Respondent(s) Ms. Anjana Chandrashekar, Adv.

Mr. A.S. Bhasme, Adv.
Mr. Pankaj Mishra, Adv.

Mr. S.N. Bhat, Adv.

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

SLP(C) Nos.19010/2008, 26420/2008 and 28027/2008

Mr. Balaji Srinivasan, learned counsel states that Mr. S. Srinivasan, learned Advocate-on-Record for the petitioners in SLP(C) Nos.26420/2008 and 28027/2008, has died during the pendency of the said petitions.

He undertakes to file vakalatnama/memo of appearance on behalf of the petitioners in SLP(C) Nos.26420/2008 and 28027/2008. Two weeks' time is granted to the learned counsel for the said purpose.

In SLP(C) No.28027/2008, two weeks' time is granted to learned

counsel for the petitioner to deposit the cost of Rs.500/- and take steps to effect service on respondent nos.3 and 6.

List these matters after four weeks.

SLP(C) NO.28028 of 2008

Learned counsel for the petitioner has filed Interlocutory Application No.2/2013 for substitution of deceased petitioner which is barred by 375 days. The petitioner has died on 14.02.2012.

Learned counsel has also filed Interlocutory Application No.3/2013 for condonation of delay in filing the substitution application and Interlocutory Application No.4/2013 for withdrawal of this special leave petition.

We have heard the learned counsel for the parties.

Delay in filing the said application for substitution is condoned.

Abatement is set aside.

For the reasons stated in I.A. No.2/2013, we allow the said application for substitution of deceased petitioner. The legal heirs of deceased petitioner be brought on record and cause title be amended accordingly.

Learned counsel prays for withdrawal of this petition. The special leave petition is dismissed as withdrawn accordingly.

I.A. Nos.2, 3 and 4 of 2013 stand disposed of accordingly.

(SANJAY KUMAR)

COURT MASTER

(INDU SATIJA)

COURT MASTER