

ITEM NO.103

COURT NO.11

SECTION XIV

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

CIVIL APPEAL NO(s). 1831-1836 OF 2009

UNION OF INDIA & ORS.

Appellant (s)

VERSUS

CHATRAO DEVI & ORS.

Respondent(s)

(With appln.(s) for substitution of L.Rs. of the deceased respondent and c/delay in filing substitution appln. in C.A.No.1831/2009 and with prayer for interim relief and office report)

WITH Civil Appeal NO. 4374 of 2009

(With prayer for interim relief and office report)

Civil Appeal NO. 903 of 2010

(With office report)

Civil Appeal NO. 7439 of 2009

(With office report)

Civil Appeal NO. 8483 of 2003

(With appln.(s) for permission to place addl.documents on record and with office report)

Date: 23/09/2010 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Appellant(s) Mr. H.P. Raval, ASG  
Mr. Sanjay Poddar, Adv.  
Ms. Sadhna Sandhu, Adv.

For Respondent(s) Dr. Rajiv Dhawan, Sr. Adv.  
Mr. Vinay Bhasin, Sr. Adv.  
Mr. Anurag Chawla, Adv.  
Mr. Jagjit Singh Chhabra, Adv.

Mr. Bhargava V. Desai, Adv.

Mr. D.N. Goburdhan, Adv.

For U.O.I. Ms. Kiran Bhrdwaj, Adv.

Mr. G. Umopathy, Adv.

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

Arguments heard.

At the outset, Mr. H.P. Raval, learned Additional Solicitor General referred to I.A. No.15 of 2010 in which prayer has been made for condonation of 3331 days' delay in filing the application for bringing on record the legal representatives of the deceased sole respondent Smt. Chattro Devi.

A perusal of the application shows that Smt. Chattro Devi had died on 13.12.2000, i.e., almost six years and six months prior to the passing of the order, which is a subject matter of challenge in Civil Appeal No.1831 of 2009.

After perusing the averments contained in the application, we indicated to the learned counsel for the parties that the order passed by the Division Bench of the High Court allowing the writ petition filed by Smt. Chattro Devi is liable to be declared as nullity because on the date of order, the petitioner was not alive.

Thereupon, Dr. Rajiv Dhawan, learned senior counsel, who was instructed to appear on behalf of Smt. Chattro Devi under an impression that Smt. Chattro Devi was still alive submitted that the Court may issue notice on the application and pass appropriate order granting leave to the appellants to bring on record the legal representatives of the deceased respondent.

On this issue, we will pass appropriate order at the end of hearing other appeals.

Arguments heard in other appeals, which remained inconclusive.

For further hearing, the cases be listed on 28.09.2010.

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Learned counsel for the parties are requested to make available short notes of their arguments (not more than three pages) to the Court Masters by Monday afternoon.

( Satish K.Yadav )  
Court Master

( Phoolan Wati Arora )  
Court Master