

ITEM NO.35

COURT NO.4

SECTION XII

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 3/2016,4/2016, in Petition(s) for Special Leave to Appeal (C)
No(s).21091/2010

MURUGAN & ORS.

Petitioner(s)

VERSUS

KESAVA GOUNDER (DEAD) & ORS.

Respondent(s)

(IA No.3/2016 application to bring on record the lrs of deceased
respondent no.1, IA No.4/2016 application for setting aside
abatement alongwith c/d)

Date : 02-07-2018 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
[IN CHAMBERS]

For Petitioner(s) Ms. Jyoti Parasher, Adv.
Mr. N.J. Ramchandrar, Adv.
Mr. R. Chandrachud, AOR

For Respondent(s) Mr. B. Ragunath, Adv.
Mr. A. Arockiaraj, Adv.
Mr. Vijay Kumar, AOR

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

The delay of 3134 days in filing the application for setting aside abatement is quite inordinate but the same is sought to be explained by the fact that in the High Court proceedings an application was filed for the said purpose but it appears that no orders were obtained in the application with the result the cause title remained as it is.

If the orders were not passed, petitioner must take the blame for it.

In the given facts mentioned aforesaid, it is appropriate to condone the delay and set aside the abatement subject to deposit of costs of Rs.3,000/-(Rupees Three Thousand Only) with the Supreme Court Advocates-on-record Welfare Trust within a period of two weeks from today.

Consequently the application to bring on record the legal representatives of deceased respondent no.1 is also allowed.

Application stands disposed of.

Amended memo of parties be filed within two weeks.

(SONALI SAUND)
SENIOR PERSONAL ASSISTANT

(ANITA RANI AHUJA)
COURT MASTER