

Listed on 7.10.2013
Ld. Registrar's Court No. 1
Item No. 100

SECTION XII
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Civil Appeal No. 4985 of 2010

Venugopal Padayachi ...Appellant
Versus
V. Pichaikaran (Dead) Through Lrs. ...Respondents

OFFICE REPORT

The matter above mentioned has been filed against the Judgment and Order dated 28th January, 2004 of the High Court of Judicature at Madras in S.A. No. 209 of 1989.

It is submitted that there are three legal representatives of deceased sole respondent. All legal representatives have been served by the Registry at Special Leave Petition stage, but no one has entered appearance so far.

Service of notice is complete.

Original record has been received from the High Court as well as from the Trial Court in this Registry and the same is available for the reference of the Hon'ble Court.

It is further submitted that counsel for the appellant has filed statement of cases and the same has been included in the appeal paper books.

It is humbly submitted that Order XV Rule 39 of SCR, 1966 says that where a respondent fails to lodge the statement of case within the time prescribed, the appeal shall, subject to the provision contained in the proviso to sub-rule (2) of Rule 35, be set down exparte against respondent in defeat.

The matter above mentioned is listed before the Ld. Registrar's Court as "Pre-Final Hearing" matter with this office report.

Dated this, the 9th day of September, 2013.

ASSISTANT REGISTRAR

COPY TO:
Mrs. Revathy Raghavan, Advocate

ASSISTANT REGISTRAR

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