

MATTER FOR:

COURT NO.

Chamber Matter

ITEM NO.

SECTION XV
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION NOS. 22-23, 24-25, 26-27 & 28-29
(Applicatin for substitution, condonation of delay in filing
submission of setting aside abatement and exemption from
filing Official Translation)

SPECIAL LEAVE PETITION (CIVIL) NOS. 13467-68 OF 2011
WITH PRAYER FOR INTERIM RELIEF

GHAN SHYAM DAS

PETITIONER

VERSUS

CHAND BEHARI AND ORS.

RESPONDENTS

OFFICE REPORT

The matters above-mentioned were listed before the Hon'ble Judge-in-chamber on 15.01.2015, when his Lordship was pleased to pass the following 15.01.2015, when his Lordship was pleased to pass the following order:

"Fourth respondent-Moti Bai is said to have expired even during the pendency of the matter before the High Court. The petitioner shall file necessary application for substitution of the Lrs. Of the fourth respondent along with the application for condonation of delay within four weeks."

It is submitted that Counsel for petitioner has filed application for substitution for bringing on LRs of respondent No. 4 viz. 'Moti Bai' alongwith application for condonation of delay in filing the application for substitution and setting aside abatement and application for exemption from filing Official Translation which is barred by time by 5068 days. Applicatons are registered as I.A. Nos. 22-23, 24-25, 26-27 & 28-29.

It is further submitted that counsel for the petitioner has filed affidavit of service of notice of motion stating

..2..

therein that all the LRs of deceased respondent No. 4 have been served except respondent Nos. 2/1, 2/3 & 2/4 who have refused to accept the notice.

It is further submitted that counsel for the petitioner has supplied death certificate of 'Moti Bai' & Ramswarup only. Regarding another Lr. Of 'Moti Bai', Viz. 'Ramprasad', it is stated in the application that his death certificate is not required since he was never brought on record as legal representative as he was died before the death of Moti Bai.

The Applications above mentioned are listed before Hon'ble Judge-in-chamber with this office report.

Dated this 18th day of May, 2016.

ASSISTANT REGISTRAR

Copy To: 1. Ms. Pratibha Jain, Adv.
34, Lawyers Chambers, S.C.I.
2. Mr. Sarad Kumar Singhania, Adv.
34, Lawyers Chambers, S.C.I.
3. Ms. Aishwarya Bhati, Adv.
18, Todar Mal Road,
Bengali Market, New Delhi-01.

ASSISTANT REGISTRAR

3/db/rp