

ITEM NO.17

COURT NO.14 SECTION XV  
S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

I.A...., I.A...., I.A...., I.A. 4/2016 in Petition(s) for Special  
Leave to Appeal (C) No(s). 29811/2009  
(Arising out of impugned final judgment and order dated 20/02/2008  
in SBCRA No. 144/1986 passed by the High Court Of Rajasthan At  
Jaipur)

CHAND BIHARI & ORS.

Petitioner(s)

VERSUS

GHANSHYAM & ANR.

Respondent(s)

(for substitution and c/delay in filing substitution appln. and  
setting aside an abatement and exemption from filing death  
certificate)

Date : 19/09/2016 This application was called on for hearing today.

CORAM : HON&#39;BLE MR. JUSTICE UDAY UMESH LALIT

[IN CHAMBERS]

For Petitioner(s) Mr. T. Gopal, Adv.

Ms. Heena Khan, Adv.

Ms. Aishwarya Bhati, Adv.

For Respondent(s) Mr. Abhinav Gupta, Adv.

Mr. Apurv Taran, Adv.

Ms. Pratibha Jain, Adv.

UPON hearing the counsel the Court made the following

O R D E R

The present Special Leave Petition has been filed by original  
respondent nos. 1-3 challenging the decision of the High Court  
dated 20.02.2008. In the Special Leave Petition, respondent no. 2  
has been shown as the proforma respondent in the High Court.  
It appears that respondent no. 2 had died while the matter was  
pending in the High Court.

2.

However, no steps were taken to bring the legal  
representatives of the deceased respondent no. 2 on record. The  
petitioners - original respondents 1 to 3 came to know about the  
demise of said respondent no. 2 only when the notice was returned  
unserved.

There has been delay of thirteen years in filing this  
application for substitution.

In the circumstances, the delay in preferring the application  
is condoned. Abatement, if any, is set aside. The application for  
substitution is allowed. The name of â¬ SGopal Lal Kumawatâ¬ \235  
be substituted in place of deceased respondent no. 2.

Amended cause title be filed within seven days from today.

(SONALI SAUND )

(SUMAN JAIN)

SR.P.A.

COURT MASTER