

ITEM NO.1701

COURT NO.17

SECTION XVI

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).11308/2011

UNION OF INDIA & ORS.

APPELLANT(S)

VERSUS

BARUN KUMAR MALLA (DEAD)

RESPONDENT(S)

(IA No. 129918/2024 - APPLICATION FOR ABATEMENT
IA No. 129919/2024 - APPLICATION FOR CONDONATION OF DELAY IN
FILING THE APPLICATION FOR SETTING ASIDE THE ABATEMENT
IA No. 71744/2024 - APPLICATION FOR SUBSTITUTION)

Date : 04-09-2024 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PRASANNA BHALACHANDRA VARALE
[IN CHAMBER]

For Appellant(s) Ms. Manvi Sharma, Adv.
Mr. Arvind Kumar Sharma, AOR

For Respondent(s) Ms. Aparna Jha, AOR
Mr. Abhishek Yadav, Adv.
Ms. Priyanka Mathur, Adv.
Ms. Jessy Kurian, Adv.
Ms. Ipsita Behura, Adv.
Ms. Geeta Verma, Adv.
Ms. Preeti Chauhan, Adv.

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

1. Heard learned counsel for the applicants/appellants and learned counsel represents the legal representatives.
2. Learned counsel for the applicants submits that the matter is pending adjudication before this Court and the same was listed before this Court on 01.11.2023. This Court was pleased to grant time to the appellants to bring on record the legal representatives of the deceased respondent. In compliance of order date 01.11.2023,

the applicants/appellants sought for necessary instructions and information after receiving the necessary details the application is filed. The learned counsel for the applicants/appellants further submits that as it required sometime to collect the necessary instructions and information so as to file the application, the delay caused in filing application for the bonafide and unintentional reasons.

3. In light of the aforesaid facts, delay of 2176 days for setting aside abatement is condoned. Consequently, application for setting aside abatement is allowed. Application for substitution of legal representatives of deceased respondent is allowed. Let the necessary alternation/correction be taken on record and cause title be amended accordingly.

(JAGDISH KUMAR)
COURT MASTER (SH)

(MATHEW ABRAHAM)
COURT MASTER (NSH)