

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

I.A. 3/2016, I.A. 4/2016, I.A. 5/2016 in Petition(s) for Special Leave to Appeal (C) No(s). 4773/2012

(Arising out of impugned final judgment and order dated 15/11/2010 in WP No. 35766/2008 passed by the High Court Of Kerala At Ernakulam)

UNION OF INDIA & ANR.

Petitioner(s)

VERSUS

K.GUNASEKHRAN (DEAD) & ANR.

Respondent(s)

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

Date : 04/03/2016 These applications were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE
[IN CHAMBER]

For Petitioner(s) Mr. Arun Kumar Singh, Adv.
Mr. Shreekant N. Terdal, Adv.

For Respondent(s) Mr. Wills Mathews, Adv.
Mr. Gaurav Kumar, Adv.
Mr. Devendra Kumar Tiwari, Adv.
Mr. P. George Giri, Adv.

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

The question as to whether original cause of action still survives and whether right to sue has devolved upon the legal representatives of respondent no. 1 is kept open, and the same would be considered at the time of final hearing of the petition.

Subject to this, IA No.3, 4, 5(Applications for substitution to bring on record the LRs of deceased respondent no. 1, condonation of delay in filing substitution application and for setting aside of abatement are allowed as in my opinion, the applications under consideration contain sufficient cause for condonation of delay in filing the application and substitution of LRs of deceased R1 and for setting aside of the abatement.

(DEEPAK MANSUKHANI)
COURT MASTER

(INDU POKHRIYAL)
COURT MASTER