

LISTED ON 8.4.2016

COURT NO.

ITEM NO.

SEC.IVA

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION NO. 10

(Application for recalling Court's Order dated 14.7.2015)

WITH

INTERLOCUTORY APPLICATION NO. 11

(Application for exemption from filing Official translation)

WITH

INTERLOCUTORY APPLICATION NO. 12

(Application for impleadment as party respondent)

IN

CIVIL APPEAL No. 7477 OF 2008

Patalamma & Anr.

- VERSUS -

....APPELLANTS

Jayamma & Ors.

....RESPONDENTS

OFFICE REPORT

The IA Nos. 2, 3, 4, 5, 6 & 7 in the appeal above mentioned were listed before the Hon'ble Judge in Chamber on 13.4.2015, when His Lordship was pleased to pass the following Order :

"I.A. No. 4 of 2015:-

This application representatives is for bringing on record the legal deceased appellant. Learned counsel appearing for Respondent No.1 has no objection if the application is allowed.

The application is allowed and the legal representatives of the deceased appellant now stand substituted in place and in stead of the deceased appellant.

Let the amended cause title be filed within seven days by the learned counsel for the appellant.

I.A. Nos.6 and 7 of 2015:-

By I.A. No.6 of 2015, the appellant prays for substitution of deceased respondent no.11. There is a delay of 828 days in filing the said application.

Let notice be issued on these applications.

I.A. No.5 of 2015:-

By this application, learned counsel for the appellant has prayed for substituted service in so far as respondent no. 8 to 10 are concerned.

Application for substituted service is allowed.

The Registry to proceed accordingly.

I.A. No.2 and 3 of 2015:-

Let notice be issued on the applications for restoration and condonation of delay in filing the restoration application."

Accordingly, cause title has been amended and notice on IA Nos. 2 & 3, 5 and 6 & 7 (Application for restoration, condonation of delay in filing restoration, application for substituted service and application for substitution of deceased Respondent No.11 and condonation of delay in filing substitution) were issued. No proof of publication alongwith affidavit of service has been filed, so far in respect of publication notice to Respondent No. 8 to 10.

Signed AD card has been received in respect of notice issued on I.A.No. 6&7 (application for substitution of deceased Respondent No.11 and condonation of delay) to proposed Lr No. (i)-(iv) of deceased Respondent No. 11.

Thereafter, the applications in the appeal above mentioned were listed before the Hon'ble Court on 14.7.2015 with an office report dated 13.7.2015, when the Court was pleased to pass the following Order:

"1. The Interlocutory Application for restoration of the Civil Appeal is allowed by condoning the delay and the Civil Appeal is restored to its original number.

2. The Legal Representatives of the deceased Muniswamappa are permitted to withdraw themselves in the proceedings pending before this Court. Accordingly, I.A.No.8 of 2015 is disposed of.

3. Respondent nos.4 and 6 are also permitted to transpose themselves as appellants in Civil Appeal No.7477 of 2008. Accordingly, the unnumbered I.A. for transposition of Respondent Nos.4 and 6 as appellants is allowed.

4. Interim order granted earlier is continued till further order."

Accordingly, cause title has been amended.

It is submitted that Ms. Aditi Gupta, Advocate has filed an application for recalling Court's Order dated 14.7.2015 on behalf of erstwhile appellant Nos.1(a)-1(f) alongwith an application for exemption from filing official translation and vakalatnama. The said applications have been registered as I.A No. 10 & 11 respectively and placed alongwith appeal paper books.

It is further submitted that Mr. Anup Kumar, Counsel for the appellant has filed an application for impleadment of original appellant No.1(a)-1(f) as Respondents and the same has been registered as I.A No. 12 and placed alongwith appeal paper books.

Thereafter, the I.A. No. 10(Application for recalling Court's Order dated 14.7.2015) in the appeal above mentioned was mentioned before the Hon'ble Court on 29.3.2016, when the Court was pleased to pass the following Order :

"Post I.A. No. 10 of 2016 within two weeks from today before an appropriate Bench."

The applications in the appeal above mentioned are listed before the Hon'ble Court with this office report.

Dated this the 6th day of April, 2016.

ASSISTANT REGISTRAR

Copy to: Ms. Lalitha Kaushik, Adv.419, NLC
Mr. Debasis Misra, Adv. 207, Lawyers Chamber
Mr. Anup Kumar, Adv., 127 Old Lawyers Chamber
Ms. Aditi Gupta, Adv.

ASSISTANT REGISTRAR