

ITEM NO.24

COURT NO.12

SECTION IV-A

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

Petition(s) for Special Leave to Appeal (C) No(s). 28698/2011

ANNAPPA LAXMAN KAKATKAR

Petitioner(s)

VERSUS

FAKIRA & ORS.

Respondent(s)

Date : 13-11-2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
[IN CHAMBERS]For Petitioner(s) Mr. D.P. Chaturvedi, Adv.
Mr. S. N. Bhat, AORFor Respondent(s) Mr. Charudatta M., Adv.
Mr. Aniruddha P. Mayee, AORUPON hearing the counsel the Court made the following
O R D E R

Learned counsel for the petitioner states that service is complete on respondent no. 6 through power of attorney holder and since that power of attorney holder also represents respondent no. 5, it should be deemed that service is complete on respondent no. 5. I am unable to accept this contention.

Learned counsel for the petitioner has been repeatedly failing to take steps for service of respondent no. 5 and, thus, respondent no. 5 is deleted from the array of parties.

The delay in filing the application for substitution on behalf of deceased respondent no. 3/c is condoned subject to deposit of costs of Rs. 2500/- (Rupees Two Thousand Five Hundred Only) with the

Supreme Court Employee's Welfare Fund within a period of two week's from today. The abatement stands set aside and the legal heirs of deceased respondent no. 3/c be brought on record.

Let fresh notice be issued to the impleaded legal heirs of deceased respondent no. 3.

(SONALI SAUND)
SENIOR PERSONAL ASSISTANT

(SUMAN JAIN)
COURT MASTER