

ITEM NO.1

COURT NO.1

SECTION IVA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for
Special Leave to Appeal (C) No(s). 28181-28182/2009

(Arising out of impugned final judgment and order dated 02/07/2009 in RP No. 1016/2008 02/07/2009 in WA No. 6453/2002 passed by the High Court Of Karnataka At Bangalore)

P.GURUNATH

Petitioner(s)

VERSUS

ASSISTANT COMMR.& ORS.

Respondent(s)

(with appln. (s) for directions and interim relief and office report)

Date : 28/10/2016 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE L. NAGESWARA RAO

For Petitioner(s) Mr. V. Giri, Sr. Adv.
Mr. T. V. Ratnam, Adv.

For Respondent(s) Mr. G.V. Chandrashekar, Adv.
Mr. N.K. Verma, Adv.
Ms. Anjana Chandrashekar, Adv.

Mr. Parikshit P. Angadi, Adv.
Mr. V. N. Raghupathy, Adv.

Mr. Anil V. Katarki, Adv.
Mr. Anil C. Nishan, Adv.
Ms. E. R. Sumathy, Adv.

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

Heard.

One of the legal heirs, left behind by original grantee, arrayed as respondent no.8 in the special leave petitions has passed away some time in the year 2003 i.e. even before the

High Court passed the order impugned in these special leave petitions. No application for substitution of the legal representatives of the deceased-respondent was ever made by the petitioner herein before this Court or before the High Court. It was only when the matter came up before this Court that the afore-mentioned development was brought to light whereupon the petitioner appears to have filed an application for substitution of the legal representatives of the deceased-respondent in the High Court. We are told by learned counsel for the parties that apart from the deceased-respondent no.8 there are as many as nine other respondents allegedly representing the estate of the deceased-grantee. In that view, the estate left behind by the grantee is sufficiently represented, no matter the other alleged legal representatives have also chosen not to contest the petitions. We therefore see no reason to await the disposal of the application for substitution filed by the petitioner before the High Court. Mr. V. Giri, learned senior counsel appearing for the petitioner, at this stage submits that respondent no.8-deceased could as well be deleted from the array of the parties. We order accordingly.

Post the matter for hearing at its turn.

(MAHABIR SINGH)
COURT MASTER

(VEENA KHERA)
COURT MASTER