

SECTION XII

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL) No. 29593 of 2009

WITH

INTERLOCUTORY APPLICATION NO. 1

(Application for condonation of delay in filing SLP)

WITH

PRAYER FOR INTERIM RELIEF

P. Suresh Kumar & Ors.

..Petitioners

versus

N.Rajendra Babu and Ors.

...Respondents

OFFICE REPORT

The matter above mentioned was listed before the Hon'ble Court on 3rd November, 2009 when the Hon'ble Court was pleased to pass the following order:-

'Issue notice on the application for condonation of delay as well as on the special leave petition.'

Thereafter the office report on default in the matter above mentioned was listed before the Hon'ble Judge-in-Chambers on 11th July, 2016, when His Lordship was pleased to pass the following order:-

"The office report on default was listed before the Learned Chamber Judge on 16.08.2013 when the following order was passed:

"Four weeks further time is granted, as last chance, to the petitioner to file necessary application for bringing the Lrs. of deceased respondent Nos. 1, 2 and 3 on record."

The office report now indicates that despite the aforesaid time having been granted by way of last chance, no compliance has been effected. The learned counsel for the petitioners has failed to file appropriate application for substitution to bring on record the Lrs. of deceased respondents Nos. 1, 2 and 5.

Since, the default has persisted for more than two years, the Special Leave Petition is dismissed as against deceased respondent Nos. 1, 2 and 5 as having been abated."

...2/-

It is submitted that there are eight respondents. Mr. M.A. Chinnasamy, Advocate has entered his appearance on behalf of respondent Nos. 3, 4 and 6 to 8, but he has not filed counter affidavit till date. The Special Leave Petition against respondent Nos. 1, 2 and 5 has been dismissed as having been abated vide this Court's Order dated 11th July, 2016. Cause title has been amended and included in the Special Leave Petition paper books.

Service of show cause notice is complete.

The matter above mentioned is listed before the Hon'ble Court with office report.

Dated this, the 15th day of July, 2016.

ASSISTANT REGISTRAR

COPY TO: Mr. V.N. Raghupathy, Advocate.
Mr. M.A. Chinnasamy, Advocate.

ASSISTANT REGISTRAR

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