

SECTION IV
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION NO. 9

(Application for substitution of Lrs. deceased appellant in RFA No.146 of 1994)

AND

INTERLOCUTORY APPLICATION NO. 10

(Application for condonation of delay in filing substitution)

AND

INTERLOCUTORY APPLICATION NO. 11

(Application for impleadment)

AND

INTERLOCUTORY APPLICATION NO. 12

(Application for permission to file Additional documents)

AND

INTERLOCUTORY APPLICATION NO. 13

(Application for exemption from filing O.T.)

WITH

INTERLOCUTORY APPLICATION NO. 14

(Application for setting aside the abatement)

IN

CIVIL APPEAL NO. 784 OF 2008

Rajinder Singh & Ors.

....Appellants

VERSUS

State of Haryana & Ors.

...Respondents

OFFICE REPORT

The I.A. Nos. 9 and 10 (Applications for substitution of Lrs. of deceased appellant in RFA No.146 of 1994 and condonation of delay in filing substitution application) were listed before the Hon'ble Judge in Chambers on 06.05.2015 when the following order was passed:-

"Mr. Ajay Kumar, learned counsel representing Mr. Rohit Kumar Singh who has filed I.A. Nos. 7 & 8 in this matter, seeks permission to withdraw his applications. Permission is granted.

Accordingly, I.A Nos. 7 & 8 are dismissed as withdrawn.

Issue notice on I.A. Nos. 9 & 10, returnable within four weeks."

It is submitted that show cause notice on the applications above-mentioned, returnable for 20.07.2015 was issued to Mr.Rajeev Kumar Singh, Advocate for the Respondents on 15.05.2015. Service of show cause notice is complete.

It is submitted that I.A. No.11 (application for impleadment of the Applicant as appellants in RFA No. 146 of 1994) was listed before the Hon'ble Judge in Chambers on 20.7.2015, when the following order was passed”

“Issue notice on I.A. No.11.”

Accordingly, show cause notice on I.A. No.11 was issued to Dr. Monika Gusain, Advocate for the Respondents on 31.7.2015. Service of show cause notice is complete.

Thereafter all the applications above mentioned were listed before the Hon'ble Judge in Chambers from time to time and finally on 4.01.2016 when the following order was passed:

“Learned counsel appearing on behalf of the appellants finally granted two weeks' time to file an application for setting aside abatement.

In the meanwhile, counter affidavit, if any, may be filed in I.A. No.11 of 2015”

It is submitted that in pursuance of order quoted above, counsel for the appellant has on 8.03.2016 filed application for setting aside abatement and with the prayer for allowing inclusion Raj Kumar S/o. Dharmavir as non-applicant at SL. No. 6 page no.6 of the application for substitution. The same has been registered as I.A. No.14 of 2016 and is placed along with I.A. paper books for king perusal of the Hon'ble Court.

It is further submitted that no Counter Affidavit has been filed to Interlocutory Application No.11 till date by the Counsel for the Respondent.

The applications above-mentioned are listed before the Hon'ble Judge in Chambers with this Office Report.

Dated this the 9th day of March, 2016.

Copy to :-

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