

S U P R E M E C O U R T O F
R E C O R D O F P R O C E E D I N G S

I N D I A

I.A. No. 2/2014, I.A. No. 3/2014, I.A. No. 4/2014 in Civil Appeal
No(s). 3961/2010

TRILOKI NATH SINGH

Appellant(s)

VERSUS

ANIRUDH SINGH (D) & ORS.

Respondent(s)

(for c/delay in filing substitution appln. and setting aside an
abatement and substitution of deceased respondent)Date : 21/07/2014 This application was called on for hearing
today.

CORAM :

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA
[IN CHAMBER]

For Appellant(s)

Mr. S. K. Bhattacharya ,Adv.
Mr. B.P. Yadav, Adv.

For Respondent(s)

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

I.A. No. 4 is dismissed as withdrawn.

In the order reported in 2012(13)SCC 530, the application for substitution was directed to be treated as an application for amendment of Special Leave Petition. It was also held therein that in such cases where the death of the Respondent had occurred before filing of the appeal in this Court, the proper procedure for the applicant is to file the application for amendment of the memorandum of appeal. Therefore, this application shall be treated as for amendment of memorandum of appeal. Since it is claimed that the appellant was misled by the fact which is reported in the office report dated 23.4.2010 that all the respondents were duly served, the delay in this application is also condoned. Application for substitution

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shall be treated as application for amendment of the memorandum Digitally signed by
of appeal. The same is ordered.

Sonia Kumari

Date: 2014.07.25

16:07:10 IST

Reason:

[Sonia Kumari]
SR. P.A.[Tapan Kumar Chakraborty]
COURT MASTER