

ITEM NO.29

COURT NO.5

SECTION X

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

IA No. 3 & 4 in

Petition(s) for Special Leave to Appeal (Civil) No(s).31836/2010

(From the judgement and order dated 11/12/2009 in SA No.4/2005 of The HIGH COURT OF UTTARAKHAND AT NAINITAL)

UNION OF INDIA & ORS.

Petitioner(s)

VERSUS

O.P.SHARMA (DEAD)

Respondent(s)

(With appln(s) for restoration, c/delay in filing application for restoration and office report)

Date: 15/04/2013 These applns. were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE J. CHELAMESWAR  
(In Chambers)

For Petitioner(s) Mr. Aditya Sharma, Adv.  
Mr. B.V. Balram Das, Adv.  
Mrs Anil Katiyar, Adv.

For Respondent(s)

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

It appears that the sole respondent died during the pendency of the proceedings before the High Court in Special Appeal no. 4 of 2005. In substance the instant appeal is preferred against a dead person.

From the office report it appears that the applicant Union of India is consistently negligent in pursuing this application. Therefore, I do not see any reason to allow the present application for restoration. The application for restoration is dismissed both on delay as also on merits.

(NAVEEN KUMAR)  
COURT MASTER

(S.S.R. KRISHNA)  
COURT MASTER