

ITEM NO.6 COURT NO.4 SECTION IVB REVISED

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

IA.No.6 & 8-15 in
Petition(s) for Special Leave to Appeal (Civil) No(s).30646/2009

(From the judgement and order dated 08/07/2009 in RSA No.150/1996
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

RAJ PAL & ORS. Petitioner(s)

VERSUS

PIRTHI SINGH & ORS. Respondent(s)

(With appln(s) for impleadment and substitution of deceased
respondent and c/delay in filing substitution application,
substitution of deceased petitioner and c/delay in filing
substitution application and exemption from filing O.T. and setting
aside an abatement & exemption from filing death certificate and
office report)

Date: 29/04/2014 These applns. were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA
(In Chamber)

For Petitioner(s) Mr. Karan Kapoor, Adv.
Mr. Rohit Kumar Singh, Adv.

For Respondent(s) Mr. Mithilesh Kumar Singh, Adv.
Mr. Sarad Kumar Singhania, Adv.

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

IA Nos. 8-9

Heard counsel for the applicants in these
applications. The applicant seeks to substitute LRs
of deceased respondent nos. 8, 9, 11, 12, 14, 18, 20,
24, 25, 32, 35 who expired on various dates in between
1993 and 12.05.2007 that is before filing the special
leave petition. In the said circumstance, since the

2

proceedings abated when the matter was pending before
the High Court itself, there is no scope to entertain
these applications for bringing on record the LRs of
the deceased respondent nos. 8, 9, 11, 12, 14, 18, 20,
24, 25, 32, 35 mentioned above.

As far as respondent nos. 7,17,21, and 36 are
concerned, though notice has been duly served on the
proposed LRs, there is no representation.
in filing the application for substitution as regards
respondent nos. 7, 17, 21 and 36 is 578, 398, 509 and
189 days respectively. Considering
involved, the delay stands condoned subject, however,
to the applicant depositing a cost of Rs.500/- in case

The delay

the delay

of each of the respondents (i.e. Rs.2,000/-) and
deposit with the Supreme Court Advocates-on-Record
Association within four weeks from today. Subject to
compliance of the said condition within the time
stipulated, the delay stands condoned and the
application for substitution of LRs of deceased
respondent nos. 7, 17, 21 and 36 stands allowed.
Accordingly, IA no. 13 is partly allowed as regards
respondent nos. 7, 17, 21 and 36.

IA No. 10-11, 14, 15

IA nos. 10-11 and 14, 15 are dismissed in view
of order passed in IA No. 8-9.

IA No. 6

List this application before the appropriate
Court.

(Naveen Kumar)
Court Master

[Suneet Mahajan]
Court Master