

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

I.A.No. 4 & 5 & 6 in Petition(s) for Special Leave to Appeal (Civil)
No(s).30854/2008

YESHWANT SHIVRAM PATIL

Petitioner(s)

VERSUS

PANDURANG & ORS.

Respondent(s)

(With appln(s) for substitution of L.Rs of the deceased respondent, c/delay in filing appl. for bringing LR's on record and setting aside an abatement and office report)

Date: 26/11/2012 This Petition was called on for hearing today.

CORAM : HON'BLE MRS. JUSTICE GYAN SUDHA MISRA
(In Chambers)

For Petitioner(s) Ms. Anagha S.Desai, Adv.

For Respondent(s) Mr. Amol Nirmalkumar Suryawanshi, Adv.

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

I.A.Nos. 4 and 5 of 2010

I.A.No. 4 is an application for substitution of the LR's of deceased Respondent Nos. 4 and 9, which is time barred by 516 and 776 days respectively. It is stated that the petitioner and his counsel were not aware of the death of Respondent Nos. 4 and 9 earlier and they came to know of their death only when the notice by way of Dasti summons were to be served on them.

However, it is stated that the LR's of deceased Respondent Nos. 4 and 9 are already on record as Respondent Nos. 5 to 8.

Under the circumstance, the delay in filing the substitution application (I.A.No. 5/2010) is condoned.

The application for substitution (I.A.No. 4/2010) is, accordingly, allowed.

I.A.No. 6 for setting aside abatement of Respondent Nos. 4 and 9 is also allowed.

(Jayant Kumar Arora)	(Indu Bala Kapur)	
Sr. P.A.	Court Master	