

SECTION: XIV  
**IN THE SUPREME COURT OF INDIA**  
**CIVIL APPELLATE JURISDICTION**

INTERLOCUTORY APPLICATION NOS. 3, 4 & 5

(Application for substitution to bring on record Lrs. Of deceased respondent No. 2, condonation of delay in filing application for substitution and setting aside abatement)

IN  
PETITIONS FOR SPECIAL LEAVE TO APPEAL (C) Nos. 16175/2013

UNION OF INDIA ...PETITIONER  
VERSUS  
M/S. ROAD CARRYING CORP. ...RESPONDENT

OFFICE REPORT

The I.As above mentioned were listed before the Hon'ble Judge in Chambers on 13.08.2015 when His Lordship was pleased to pass the following Order:-

"An application has been filed seeking service through publication in the newspapers to serve legal heirs and representative nos. 1(ii) and 1(iii) of deceased sole respondent as they are not residing on the last known address and their present address is unascertained.

I.A. for substituted service through publication is allowed.

Registry to take steps to issue the proforma notice for publication as mentioned in paragraph 3 of the application.

After the publication has made, the learned counsel for the petitioner shall file proof of publication in the Registry within four weeks thereof."

It is submitted that pursuant to aforesaid order, notice for publication of Chamber Summon in respect of proposed Legal respondent No. 1(iii) was handed over to counsel for the petitioner on 04.09.2015 and counsel for the petitioner has on 13.10.2015 filed affidavit with proof of publication of Chamber Summon in respect of proposed Lr. 1(iii) in two newspapers i.e. Amar Assam (Assamese edition) and Assam Tribune (English Edition). Proposed Lr. 1(i) & 1(iv) have already been served with Chamber Summons.

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Mr. R. D. Upadhyay, Advocate representing Lr. No. 1(ii) namely Mr. Lochan Gupta has on 06.10.2015 filed a copy of special power of attorney executed by Lr. Nos. 1 (i), 1(iii) and 1(iv) in favour of Lr. No. 1 (ii) to act and represent on their behalf. Counsel appearing for Lr. No. 1(ii) was asked to furnish original Special Power of Attorney vide this Registry's letter dated 12.10.2015 but he has not done the needful so far.

Service of Chamber Summons on proposed Lrs. 1(i) to 1(iv) is complete.

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

DATED THIS THE 15<sup>th</sup> DAY OF OCTOBER, 2015.

**ASSISTANT REGISTRAR**

COPY TO:

Mr. D.S. Mahra, Adv. Ch. No.

Mr. R. D. Upadhyay, Adv. Ch. No.

**ASSISTANT REGISTRAR**

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