

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

CIVIL APPEAL NO(s). 1998 OF 2012

BEFORE THE REGISTRAR S.G. SHAH

UNION OF INDIA & ORS

Appellant (s)

VERSUS

GURMEET SINGH RAI & ORS.

Respondent(s)

(With appln(s) for stay, condonation of delay in filing appeal. and office report)

WITH
CIVIL APPEAL NO.4581/2012

Date: 03/08/2012 This Appeal was called on for hearing today.

For Appellant(s)

Mr. B.V. Balaram Das, Adv.

For Respondent(s)

Dr S.P.Sharma, Adv.
Mr. Ashwani Bhardwaj, Adv.

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

CIVIL APPEAL NO.1998/2012
Deleted.

CIVIL APPEAL NO.4581/2012

The ld. Advocate appearing for the respondent in Civil Appeal No.4581/2012 has disclosed that in connected appeal this Court has allowed the request made in a letter by the litigant to join the legal heirs of the deceased litigant.

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Item No.18

It is a strange submission and therefore, original file of Civil Appeal No.1998/2012 is called upon which confirms that there is no order to allow the request to join the legal heirs in the form of letter. On the contrary it is specifically stated in order dated 6.7.2012 that

It is unfortunate that ld. Advocate, Mr Ashwani Bhardwaj has instead of filing proper application for joining legal heirs of respondent No.2 filed a letter on 27.6.2012 with a Death Certificate of original respondent No.2 and vakalatnama of his widow requesting the registry to implead her as respondent. Such letter cannot be treated as an application for joining legal heirs of deceased respondent. If proper legal heirs of respondent no.2 do not come forward with proper application as per law, to join themselves as litigant, matter shall be listed before the Hon'ble Judge in Chambers for abatement against original respondent No.2.

List again on 3.8.2012.

Remaining served respondents may file counter affidavit

till then.'

List on 21.8.2012.

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| (S.G.SHAH)
| REGISTRAR

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