

SECTION IVB

Listed on. 10.02.2017

Court No. 4

IN THE SUPREME COURT OF INDIA Item No. 31
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION NO.1

(Application for permission to file SLP)

AND

INTERLOCUTORY APPLICATION NO.2

(Application for substitution to bring on record the Lrs. of deceased petitioner)

AND

INTERLOCUTORY APPLICATION NO.3

(Application for condonation of delay in filing substitution application)

IN

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL)CC NOS. 2968-73 OF 2017

AND

INTERLOCUTORY APPLICATION NOS.

(Application for condonation of delay in filing and refiling the SLP)

Surinder Kumar Etc.

...Petitioner(s)

Versus

State of Haryana & Ors.

...Respondent(s)

OFFICE REPORT

It is submitted that the above mentioned Special Leave Petition is filed by Mr. R.C. Kaushik, Advocate on 07.12.2016 against the Judgment and Order dated 25.07.2016 of the High Court of Punjab and Haryana at Chandigarh in RFA Nos. 399, 400, 404, 408, 416 & 671 of 2005 alongwith application for permission to file Special Leave Petition.

It is further submitted that Counsel for petitioner has also filed an application for **substitution** to bring on record the LR's. of deceased Appellant Viz Shanti Devi in RFA No. 404 of 2005 which is barred by time by 1030 days and Counsel has also filed an application for condonation of delay in filing substitution application and prayer for setting aside abatement.

It is further submitted that Counsel for the petitioner has filed **two applications** for condonation of delay in filing the SLP and refiling the

SLP (i) there is a delay of 27 days in RFA Nos. 400, 416 & 671 of 2005 and 28 days in RFA Nos. 399, 404 & 408 of 2005 in filing the SLP (ii) a delay of 22 days in refiling the SLP. There is a total delay of 49 days in RFA Nos. 400, 416 & 671 of 2005 & 50 days in RFA Nos. 399, 404 & 408 of 2005 in filing and refiling the SLP.

It is further submitted that SLP (C) No. 16323 of 2016 @ CC No. 9107 of 2016 Entitled Shanti Devi & Ors. Versus State of Haryana & Ors. arising out of relied upon Judgment was listed before the Hon'ble Court on 29.06.2016 when the Hon'ble Court was directed to issue of notice. The said SLP is pending after notice.(Copy of order dated 29.06.2016 is enclosed herewith).

It is further submitted that Counsel for the petitioner has not furnished the copies of notification dated 12.05.95, 10.05.96 and Award dated 24.04.98. In this regard, counsel has given a **letter** dated 25.01.2017 (Letter is enclosed in paper books at page no.107) stating therein that the same are not necessary and has undertaken to produce the same at the time of hearing, if required by the Hon'ble Court and Counsel has requested to register and list the matter at his own risk.

The matter is listed before the Hon'ble Court with this office report.

Dated this the 07th day of February, 2017.

ASSISTANT REGISTRAR

Copy to :-Mr. R.C. Kaushik, Adv.

ASSISTANT REGISTRAR

Com1/Mty