

ITEM NO.1702

COURT NO.15

SECTION XI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 25891/2017

PREM BABU & ORS.

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS.

Respondent(s)

(***ONLY SLP(C) NO. 25891 OF 2017 AND SLP(C) NO. 24473/2018 TO BE LISTED BEFORE THE HON'BLE JUDGE IN CHAMBERS.***

IA No. 110585/2022 - APPLICATION FOR SUBSTITUTION

IA No. 110587/2022 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.

IA No. 110580/2022 - EXEMPTION FROM FILING O.T.

IA No. 110578/2022 - INTERVENTION/IMPLEADMENT

IA No. 110589/2022 - SETTING ASIDE AN ABATEMENT)

WITH

SLP(C) No. 24473/2018 (XI)

Date : 13-03-2023 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PANKAJ MITHAL
[IN CHAMBERS]

For Petitioner(s) Mr. T. Mahipal, AOR
Dr. Nirmal Chopra, AOR

For Respondent(s) Mr. Ajay Vikram Singh, AOR
Mr. Rajeev Kumar Dubey, Adv.
Mr. Ashiwan Mishra, Adv.
Mr. Kamendra Mishra, AOR

Ms. Pallavi Pratap, AOR

Mr. Ardhendumauli Kumar Prasad, AAG
Mr. Adarsh Upadhyay, AOR
Mr. Ashish Madaan, Adv.
Ms. Shreya Srivastava, Adv.
Ms. Pallavi Kumari, Adv.
Ms. Ananya Sahu, Adv.

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

SLP (C) No(s). 25891/2017

Heard learned counsel for the parties.

It appears that several writ petitions were decided by a common Judgment and order of the High Court on 03.02.2017 including one bearing Writ Petition No. 7952 (SS) of 2013 filed by one Mr. Satya Prakash. In relation to some writ petitions, SLP has been preferred by the parties aggrieved, but not by Mr. Satya Prakash or his heirs and legal representatives.

It also appears that Mr. Satya Prakash died on 20.05.2017 after the pronouncement of the Judgment by the High Court.

Now, his heirs and legal representatives have moved an application for being impleaded or substituted in the present SLP which is filed by some other persons.

The heirs and legal representatives of the deceased Satya Prakash who had filed Writ Petition No. 7952 (SS) of 2013 has no legal right to get themselves impleaded or substituted in the present SLP preferred by others and if they are in any way aggrieved by the judgment and order dated 03.02.2017 passed by the High Court, they have an independent right to take remedies available to them in law against the said judgment.

In view of the above, the IA No. 110585 of 2022-Application for substitution, IA No. 110587 of 2022- Application for condonation of delay in filing substitution, IA No. 110589 of 2022-Application for setting aside an abatement and IA No. 110578-Application for intervention/impleadment are rejected.

SLP(C) No. 24473/2018

According to the office report, service of notice upon Respondent Nos. 4 to 7 is not complete. The counsel for the petitioner has neither filed any spare copies nor furnished fresh address of the respondent, despite last chance granted to him vide order dated 03.11.2022 to take necessary steps within 6 weeks.

In view of the above, as necessary steps have not been taken despite last opportunity, the Petition stands dismissed *qua* Respondent Nos. 4 to 7.

(RAJAN SACHDEVA)
SENIOR PERSONAL ASSISTANT

(RAVINDER KUMAR)
BRANCH OFFICER (NSH)