

ITEM NO.1709

COURT NO.5

SECTION XVI

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). 27932/2019

GIRJA DEVI(D) &amp; ORS.

Petitioner(s)

VERSUS

RUNU BOSE (D) &amp; ORS.

Respondent(s)

IA No. 236348/2023 - APPLICATION FOR CONDONATION OF DELAY IN FILING  
THE APPLICATION FOR SETTING ASIDE THE ABATEMENT

IA No. 236301/2023 - APPLICATION FOR SUBSTITUTION

IA No. 236358/2023 - APPLICATION UNDER ORDER V RULE 20 CPC FOR  
EFFECTING SERVICE THROUGH PUBLICATION

IA No. 236343/2023 - EXEMPTION FROM FILING DEATH CERTIFICATE /  
CERTIFIED COPY OF DEATH CERTIFICATE

IA No. 264781/2023 - SETTING ASIDE AN ABATEMENT

Date : 03-03-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANDEEP MEHTA  
[IN CHAMBERS]

For Petitioner(s) : Rakesh Kumar, AOR

For Respondent(s) : Mr. V. Elanchezhian, AOR

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

Delay in filing the application for setting aside abatement is  
condoned.

2. Abatement is set aside.

I.A. No. 236301/2023

3. The Interlocutory Application seeking substitution in respect  
of deceased respondent no. 1 is allowed as the legal  
representatives are already on records as respondent nos 2 and 3.

4. Prayer for deletion of respondent no. 6, as made in the

application, is also allowed. The name of such respondent be deleted from the array of parties at the risk of petitioner. Amended memo of parties be filed.

5. the Interlocutory Application also refers to a prayer for substitution and to bring on record the legal representatives of deceased Petitioner no.1, the said prayer is accepted. The legal representatives of deceased petitioner no. 1 also taken on record. Amended memo of parties be filed within 10 days.

4. The Interlocutory Application No. 236343/2023 seeking exemption from filing death certificate is allowed.

5. I.A. No. 236358/2023 seeking substituting service in respect of respondent no 2,3,7,8 is allowed. Let steps for publication of notices in respect of these respondents be taken within 4 weeks.

6. Let the matter be listed before the Court immediately thereafter.

(KANCHAN CHOUHAN)  
SENIOR PERSONAL ASSISTANT

(AMITA PANDEY)  
COURT MASTER (NSH)