

ITEM NO.1706

COURT NO.17

SECTION IV-B

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

Petition for Special Leave to Appeal (C) No.28538/2018

SUBHASH CHAND

Petitioner(s)

VERSUS

SURESH CHAND & ORS.

Respondent(s)

(IA No. 6868/2024 - APPLICATION FOR SUBSTITUTION)

Date : 02-05-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PRASANNA BHALACHANDRA VARALE
[IN CHAMBER]

For Petitioner(s)

Mr. Ram Niwas Buri, Adv. (Not present)
Ms. Preeti Singh, AOR (N.P.)
Mr. Sunklan Porwal, Adv. (N.P.)
Dr. L.d. Kiradoo, Adv. (N.P.)
Mr. Rishabh Sharma, Adv. (N.P.)

For Respondent(s)

Mr. Pradeep Misra, AOR
Mr. Daleep Dhyani, Adv.
Mr. Suraj Singh, Adv.

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

1. None appears for the petitioner when the matter is called out.
2. A perusal of the Office Report would show that notice was issued on the Special Leave Petition and it was stated that the service of notice is complete on Respondent No.2 but the service of notice on Respondent No.1 was not complete and there were certain defects.
- 3 The learned counsel representing Respondent Nos.1, 4 & 5 vehemently submits that factum of death of Respondent No.1 was made known way back in the year 2019 and is already brought on record by way of such averment in the counter affidavit. In spite of such factum brought to the notice of the Court, the petitioner failed to take any steps.

4. My attention was drawn by the learned counsel for the respondents that there is an interim order passed in favour of the petitioner.

5. Let the learned counsel for the petitioner take steps within four weeks from today.

6. If such steps are not taken by the learned counsel for the petitioner within the stipulated period, the matter be listed before the Court for further orders

7. As prayed for by the learned counsel for the respondents, the word "Respondent No.2" occurred in Para 1 of the order dated 11-12-2023 passed by this Court shall be read as "Respondent No.1".

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
COURT MASTER (NSH)