

ITEM NO.1705

COURT NO.6

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(s) for Special Leave to Appeal (C) No(s). 5102/2020

SMADH BABA DAULAT GIRI & ANR.

Petitioner(s)

VERSUS

JAI KARAN (DEAD)

Respondent(s)

(Application for correction of name of proposed Lr no.ii namely sobha s/o jai kiran to subhash s/o jai kiran to be listed before Hon'ble Judge in chamber.

IA No. 255471/2023 - ADDITION / DELETION / MODIFICATION PARTIES

IA No. 79348/2023 - APPLICATION FOR SUBSTITUTION, IA No. 79353/2023

- CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN., IA No.

79358/2023 - EXEMPTION FROM FILING O.T.

IA No. 138684/2023 - SETTING ASIDE AN ABATEMENT)

Date : 21-03-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.S. BOPANNA
 [IN CHAMBER]

For Parties(s) Mr. K. K. Mohan, AOR

Mr. Aabhas Kshetarpal, AOR
 Mr. Neelaabh Bist, Adv.

Ms. H. Mehta, Adv.

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

IA No. 79348/2023, IA No. 79353/2023 AND IA No. 138684/2023

1. Notice on these applications have already been issued on 25.09.2023.

2. Hence, taking into consideration the averments made in the applications, these applications stand allowed. Accordingly, application seeking for substitution is permitted subject to just exceptions after condoning the delay in filing the application for substitution. Consequently, abatement is set aside.

3. Cause title be amended accordingly.
4. At this stage, it is pointed out that the name of one of the legal heirs namely, Ananda is wrongly indicated as Nanda at serial No. vi of the application filed seeking for substitution. The same stands corrected and application seeking for correction stands allowed.

The name be read as:

" Ananda "

instead of

" Nanda "

5. The said correction be carried out in the amended memo of parties.

IA No. 255471/2023

1. Learned counsel for the petitioner(s) has filed the said application seeking correction in the name of proposed legal heir 1(ii) namely **Sobha** to **Subhash** due to which service is still incomplete on the said respondent.
2. For the reasons stated in the application, the same stands allowed. The name of the proposed legal heir 1(ii) be now read as **Subhash** instead of **Sobha**.
3. Necessary corrections be carried out in the cause title.
4. Issue fresh notice to proposed legal heirs nos. 1(ii) and 1(v), on which service is still incomplete.

(NISHA KHULBEY)
SENIOR PERSONAL ASSISTANT

(DIPTI KHURANA)
ASSISTANT REGISTRAR