

SECTION IV-B
IN THE SUPREME COURT OF INDIA
EXTRA-ORDINARY APPELLATE JURISDICTION
SPECIAL LEAVE PETITION (CIVIL) No. 12728 OF 2021
WITH PRAYER FOR INTERIM RELIEF

with
I.A. NO. 239632/2023
APPLICATION FOR SUBSTITUTION OF DECEASED RESPONDENT NO. 2

FARIAD SINGH (DEAD)	...	Petitioner
BALWINDER SINGH DECEASED THROUGH HIS LEGAL HEIRS	Versus	...
		Respondent

OFFICE REPORT

The matter was listed before Hon'ble judge in chamber on 03.10.2023, when the court was pleased to pass the following order:

"Learned counsel for the petitioner seeks and is granted two weeks' time to file fresh particulars and to take fresh steps in respect of respondent Nos. 1 and 3 to 5, failing which the special leave petition shall stand dismissed qua the respondent Nos. 1 and 3 to 5.

Two weeks' time is granted to file necessary application to bring on record the legal representatives of the deceased respondent No. 2.

Office to proceed accordingly."

It is submitted that pursuant to above order, counsel for the petitioner has not filed fresh particulars and taken fresh steps in respect of respondent nos. 1, 3 to 5 within time and SLP stand dismissed qua the respondent nos. 1 & 3 to 5. The ACT has been amended and included in the SLP Paper book.

It is further submitted that counsel for the petitioner has 20.11.2023 e-filed application for substitution to bring on record the Lrs. of deceased respondent no. 2. The same is barred by time of 1280 days. The same is defective for reasons that applications for setting aside abetment and condonation of delay in filing setting aside abetment are not filed and Averment "there is no other Lrs of deceased respondent no. 2" has not been mentioned in this application. However, the defective application is being circulated for kind perusal of the Hon'ble Court.

It is further submitted that counsel for the petitioner has on 09.05.2024 e filed a later alongwith only fresh particular stating therein to take note of particulars for any further necessary steps. It is pertinent to mention here that SLP stand dismissed qua the respondent nos. 1 & 3 to 5 vide order dated 03.10.2023 for not complaine the order within stipulated period.

Office report for default counsel for the petitioner has not cured the defects in this application is being listed before Hon'ble Judge (in chamber) for orders.

Dated: 13.08.2024

ASSISTANT REGISTRAR

Copy to :-

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ASSISTANT REGISTRAR