

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

Civil Appeal No(s). 8132/2012

F.C.I & ORS.

Appellant(s)

VERSUS

SHYAMAL KUMAR BOSE . & ORS.

Respondent(s)

IA No. 150084/2021 - APPLICATION FOR SUBSTITUTION

IA No. 150085/2021 - CONDONATION OF DELAY IN FILING SUBSTITUTION
APPLN.)

Date : 27-02-2023 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
[IN CHAMBER]

For Appellant(s) Mr. K Vijayan, Adv.
Mr. Ajit Pudussery, AOR

For Respondent(s)

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

Respondent nos. 2 and 4 passed away on 16.8.2017 and 11.7.2019, respectively. IA No. 150084/2021 has been filed seeking substitution of the deceased respondent nos. 2 and 4 by their legal heirs along with an application for condonation of delay in filing the substituted application. Since the substitution application for bringing on record the legal heirs of the respondent nos. 2 and 4 was not filed by 15.11.2017 and 10.10.2019, respectively, the appeal has abated qua such respondents. There ought to be an application for setting aside abatement, which is not on record.

Learned Advocate for the appellants/applicants prays for and is granted four weeks' time to file an application for setting aside abatement with a prayer for condonation of delay in its presentation.

List the application, once it is filed.

(DR. NAVEEN RAWAL)
ASTT. REGISTRAR-cum-PS

(RAVINDER KUMAR)
COURT MASTER (NSH)