

**SECTION-XV**

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

**INTERLOCUTORY APPLICATION NOS. 3 AND 4**

(Applications for substitution to bring on record the LR's. Of deceased respondent alongwith application for condonation of delay in filing substitution application and setting aside abatement)

IN

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL) NO. 34216 OF 2012  
WITH PRAYER FOR INTERIM RELIEF

STATE OF RAJASTHAN & ORS.

....PETITIONERS

VERSUS

KHEM CHAND & ORS.

....RESPONDENTS

**OFFICE REPORT ON DEFAULT**

The matter above-mentioned was listed before the Hon'ble Judge-in-Chamber on 05.09.2016, when the Court was pleased to pass the following order:

**"Finally, two weeks' time is granted to learned counsel for the petitioners to take fresh steps for effecting service on unserved respondent No. 4 and to file application for substitution for bringing on record the LR's. Of deceased respondent No. 2."**

It is submitted that pursuant to order quoted above, counsel for the petitioner has on 08.12.2016 filed spare copy of SLP for issuance of fresh notice to unserved respondent No. 4 which is barred by time by 80 days, but he has not filed an application for condonation of delay in filing spare copy of SLP so far.

It is further submitted that counsel for the petitioner has on 19.10.2016 filed an application for substitution to bring on record the LR's. of deceased respondent No. 2 alongwith application for condonation of delay in filing substitution application and for setting aside abatement which is barred by time by 2666 days. Applications are registered as I.A. Nos. 3 and 4. Notice of Motion has been endorsed to the counsel for the petitioner for 05.12.2016 for effecting service on the Lrs. of deceased respondent No. 2 and counsel for the petitioner has filed affidavit alongwith proof of service after serving notice of motion to the sole Lr. of deceased respondent No. 2.

...2/-

Service is not complete in respect of Respondent No. 4.

The applications in the matter above-mentioned are listed before the Hon'ble Judge-in-Chamber with this office report.

Dated this the 22<sup>nd</sup> day of December, 2016.

ASSISTANT REGISTRAR

Copy to:- Mr. Ajay Choudhary, Advocate.

ASSISTANT REGISTRAR

3/db/or