

SECTION IVB Ch. Matter
Listed on.
IN THE SUPREME COURT OF INDIA Court No.
CIVIL APPELLATE JURISDICTION Item No.

PETITION FOR SPECIAL LEAVE TO APPEAL(CIVIL)NO. 20692 OF 2014

WITH PRAYER FOR INTERIM RELIEF

BSNL & Ors.	Versus	...Petitioner(s)
Sham Lal & Ors.		...Respondent(s)

OFFICE REPORT ON DEFAULT

The matter above mentioned was listed before the Hon'ble Court on 30.07.2014, when the Court was pleased to pass the following order :-

" The learned counsel for the petitioner submitted that in the present case since there is no payment, the question of recovery does not arise. Hence the controversy would be similar to that of in SLP (C).....CC.No. 8397 of 2014.

In view of the aforesaid, delay condoned. Issue notice.

There shall be stay of operation of the impugned order of the High Court in the meantime.

Tag with SLP(C)...../2014
(CC.No.8397/2014)"

Accordingly, show cause notice has been issued to all the respondents by Regd. A.D. Post on 13.08.2014.

Being service incomplete, the matter above mentioned was listed from time to time and lastly listed before the Ld. Registrar on 09.09.2015, when the following order was passed:-.

" The respondent No.6 is reported dead. Ld.counsel for the petitioners has not taken steps to bring on record the lrs. of the said deceased respondent, despite two opportunities given to him on that count. Viewed thus, the matter shall be processed

for listing before the Hon'ble Judge in Chambers for further future directions."

It is submitted that counsel for the petitioner has not taken steps to bring on record the LRs. of deceased Respondent No. 6 so far.

It is submitted that counsel for the petitioner has on 05.10.2015 filed an application for substitution for bringing on record the Lrs. of deceased Respondent No.6 after Id. Registrar's Order dated 09.09.2015. However, the said I.A. is defective for following reasons:

1. I.As. for condonation of delay & setting aside abatement not filed.
2. Age of Lrs. not mentioned.
3. copy of the application has not been served on Mr. Anil Kumar Tandale, counsel for Respondent Nos. 1, 3-5, 7-12 & 14.

The default on the part of the Advocate is listed before the Hon'ble Court (In Chambers) with this office report.

Dated this the 13th day of October, 2015.

ASSISTANT REGISTRAR

Copy to :-

1. Mr.Chandra Prakash, Adv.
20-A Lawyers Chambers
Supreme Court of India
2. Mr. A.K. Tandale, Adv.
B-158, Sec-14, Noida-201301

ASSISTANT REGISTRAR

Com1/Mty