

SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

I.A. No.2-3

IN

CIVIL APPEAL NO.3661/2005

State of West Bengal & Ors. Appellants

Vs.

Altaf Hossain & Ors. Respondents

O R D E R

Heard learned counsel for the appellants and perused the averments made in the applications to bring on record the legal representatives of the deceased respondent Nos. 2 and 3 in these I.As. These applications cannot be allowed for the reasons that respondent Nos. 2 and 3 expired during the pendency of the matter before the High Court. Initiation of proceedings against dead persons are not maintainable. Hence these applications cannot be allowed and are rejected. Consequently, the Civil Appeal against them is liable to be rejected. In view of fact that there are other respondents in these proceedings, hence post this matter before appropriate bench for passing necessary orders.

.....J.
(V.Gopala Gowda)

New Delhi
24th March, 2014

ITEM NO.5

COURT NO.10

SECTION XVI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

I.A.No. 2-3 in CIVIL APPEAL NO(s). 3661 OF 2005

STATE OF WEST BENGAL & ORS.

Appellant (s)

VERSUS

ALTAF HOSSAIN & ORS.

Respondent(s)

(For substitution and c/delay in filing substitution
appln.and office report)

Date: 24/03/2014 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V. GOPALA GOWDA
(IN CHAMBERS)

For Appellant(s) Mr. Saakaar Sardana, Adv.
Mr. Anip Sachthey, Adv.

For Respondent(s) Mr. M.P. Jha, Adv.
Mr. Ram Ekbal Roy, Adv.
Mr. Harshvardhan Jha, Adv.
Mr. Ajay Kumar Jha, Adv.
Mr. Dileep Pillai, Adv.

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

I.A. are rejected and consequently civil appeal against
respondent Nos. 2 and 3 is also dismissed in terms of the signed
order.

Post this matter before appropriate bench for passing
necessary orders.

(Anita Malhotra)
Sr.PA

(S.S.R. KRISHNA)
Asstt.Registrar

(Signed order is placed on the file.)