

**SECTION – XVI**

SUPPLEMENTARY  
LISTED ON : 28.04.2017  
COURT NO. : 06  
ITEM NO. :

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

**CIVIL APPEAL NO. 7029 OF 2009**  
**WITH**  
**INTERLOCUTORY APPLICATION NO. 3**

**(Application for Directions)**

**AND**

**PETITION FOR SPECIAL LEAVE TO APPEAL(C) NO. 183 OF 2009**

**STATE OF BIHAR & ORS.**

**...APPELLANTS/PETITIONERS**

**-VERSUS -**

**SURYADEO PRASAD TEWARY & ORS. Etc.**

**... RESPONDENTS**

**OFFICE REPORT**

The I.A. No. 3 (application for directions) in the appeal above -mentioned was listed before the Hon'ble Court on 24.04.2017, when the Court was pleased to pass the following Order:

**“List the appeal itself on 26.04.2017 as first item.**

**SLP (C) No. 183/2009 shall also be taken up along with this appeal on that day”**

**CIVIL APPEAL NO. 7209 OF 2009 :**

It is submitted that service of notice is complete. Statement of case has been filed by Mr. Gopal Singh, Counsel for the Appellant.

It is further submitted that pursuant to Court's order dated 28.7.2009, Counsel for the Appellant has on 24.8.2009 deposited an amount of Rs. 8, 11,010/- which has been kept in FDR i.e. Interest Bearing Account. The next date of maturity of FDR is 17.11.2017.

**SLP(C) NO. 183 OF 2009 :**

It is submitted that there is sole respondent. Mr. Kumud L. Das, Advocate has on 21.04.2017 filed an application for bringing on record the legal representatives of deceased sole Respondent alongwith vakalatnama and appearance of Legal representative Nos. 1(A), 1(B) and 1(E) (i) to (iii) but the same is defective for the reasons that (i) there

is a delay of 272 days but he has not filed application for condonation of delay in filing the same, (ii) he has not filed vakalatnama and appearance on behalf of legal heirs viz. Deepa Sinha and Roopa Sinha mentioned as Serial Nos. C and D in Para – 4 of the application and (iii) clause regarding no other legal representatives except above have been mentioned in the application. However, unregistered application is circulated before the Hon'ble Court.

It is lastly submitted that the matters above-mentioned were listed before the Hon'ble Court on 25.04.2017 when the Court was pleased to pass the following Order:

**“List on 28.04.2017.”**

The matters alongwith application above-mentioned are listed before the Hon'ble Court with this office report.

DATED THIS THE 27<sup>th</sup> day of April, 2017.

Sd/-

ASSISTANT REGISTRAR