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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ RFA 14/2007

GULNAR

..... Appellant

Through: None.

versus

VASSIULLAN KHAN

..... Respondent

Through: Mr.Naveen K.Nayyar, Advocate with
respondent in person.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

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28.11.2017

1. Despite second pass-over none appears on behalf of the appellant/plaintiff. On the last date of hearing learned counsel for the appellant had informed that appellant had expired on 05.11.2017. Respondent is the husband of the appellant. The suit of the appellant/plaintiff for damages was dismissed by the learned Trial Court by the impugned judgment and decree dated 20.10.2006.
2. Learned counsel for the respondent/defendant points out that the appellant had claimed damages to the tune of Rs.4,00,000/- for mental & physical torture and harassment caused by the respondent. It is submitted by the learned counsel for the respondent that no issue out of the wedlock between the appellant and the respondent was born.
3. No application for impleadment of the legal representative has been filed.
4. In the circumstances, the alleged cause of action being personal to the

appellant does not survive and as such appeal stands abated.

5. Trial Court Record be sent back forthwith.

VINOD GOEL, J.

NOVEMBER 28, 2017

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