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

+ CM(M) 755/2017

ANUJ SINGHAL @ ANUJ GUPTA & ORS Petitioners

Through: Ms. Sangeeta Jain, Advocate

versus

PRIYANKA SHARMA & ORS

..... Respondents

Through

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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24.07.2017

CM APPL. No.25733/2017 (Exemption)

Allowed subject to just exceptions.

CM(M) 755/2017 and CM 25732/2017

The petitioners have been impleaded as respondents on being substituted in place of their brother Ashish Singhal upon his death on 16.06.2014, he being the driver-cum-owner of the vehicle described as the offending vehicle on account of rash driving of which an accident statedly took place giving rise to cause of action in favour of the first respondent, the substitution having been directed by the Motor Accident Claims Tribunal (Tribunal) by its order dated 20.04.2017 on the file of the accident claim case (new no.49333/16, old MACT no.416/11), the death of Ashish Singhal having occurred during the pendency of the case.

The grievance raised by the petition at hand has been that the claimant (first respondent) though conscious of the death had not taken appropriate timely steps in terms of order XXII Rule 4 of the Code of Civil Procedure, 1908.

After some hearing, the counsel for the petitioners submitted that she may be allowed to withdraw the petition with the request that liberty may be granted to take all objections by way of additional pleadings to be submitted before the Tribunal.

The captioned petition and the pending application are dismissed as withdrawn with liberty as prayed for.

R.K.GAUBA, J

JULY 24, 2017

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CM(M) 755/2017

page 2 of 2