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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **C.M.Nos. 4622/2006 & 43310/2017 & RFA 185/2006**

SHAM KUMAR ARORA @ KAKKAR Appellant
Through: Mr. M. K. Saroja, Advocate for LR
of Appellant.

Versus

SANDEEP KUMAR & ORS. Respondents
Through: Mr. Vikas Dudeja, Advocate.

CORAM:
HON'BLE MR. JUSTICE NAJMI WAZIRI
ORDER
% **13.02.2018**

CM No. 43310/2017 (for abatement)

The appellant is stated to have passed away on 04.01.2013, however, no steps have been taken to bring his legal representatives on record, as required under Order XXII Rule 3 CPC, which prescribes the period to file an application for the same to be within 90 days of the date of knowledge of death. The appeal has since long abated.

The learned counsel appearing on behalf of the legal representatives/family members of the deceased appellant, upon instructions, submits that they would not like to pursue the matter.

Be that as it may, since the appeal stands abated, nothing survives in the matter. The original documents of the title deposited in this Court by the respondents be released to them on an application being moved in this regard, after retaining of a certified copy of the same by the Registry.

The application stands disposed-off.

RFA 185/2006 & C.M.Nos. 4622/2006 (for stay)

In view of the order passed in CM No.43310/2017, the appeal stands abated. The pending application stands disposed off.

NAJMI WAZIRI, J.

FEBRUARY 13, 2018

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