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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 764/2012 & CM No.11326/2012**

ASHA SEHGAL & ORS Petitioners
Through: Mr. A.P.S. Ahluwalia, Senior
Advocate with Mr. S.S. Ahluwalia
& Mr. Jatin Teotia, Advocates.
versus

RAJINDER KUMAR SEHGAL Respondent
Through: Mr. Maninder Jeet Singh, Advocate.

CORAM:
HON'BLE MR. JUSTICE R.K.GAUBA

ORDER
% **13.02.2018**

After some hearing, learned counsel for the respondent fairly concedes that the order dated 24.11.2011 whereby his application under Order XXII Rule 9 of Code of Civil Procedure, 1908 (CPC) setting aside the abatement of the civil suit (S-532/2010) originally instituted by Agyawati Sehgal was allowed, and the subsequent order dated 18.05.2012 whereby the application of the petitioners seeking review of the said order dated 24.11.2011 was dismissed, may be set aside, and his said application under Order XXII Rule 9 CPC dated 15.03.2011 whereupon the proceedings in the said suit were revived, against the backdrop of decision of this Court dated 23.03.2011 on FAO No. 374/2010, may be allowed to be withdrawn and disposed of accordingly, and he be given liberty to institute independent proceedings in appropriate court of law to pursue his remedies. The

prayer is granted. The impugned orders are, thus, set aside. The application of the respondent under Order XXII Rule 9 CPC leading to the above mentioned orders is dismissed as withdrawn with liberty, as prayed for, granted to the respondent.

The petition and the pending application are disposed of in above terms.

R.K.GAUBA, J

FEBRUARY 13, 2018

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