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

+ RC.REV. 452/2016

RANJIV KHANNA Petitioner
Through Mr.Kirti Uppal, Sr. Adv. with
Mr.Aman Bhalla and Mr.Aditya Raj, Adv.

versus

SHYAM LAL MITTAL & ORS Respondents
Through Mr.Naveen Kumar

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **10.01.2020**

CM APPL. No. 27717/2019

For the reasons stated in the application, the delay in filing the application for bringing the LRs on record is condoned.

The application is disposed of.

CM APPL. No. 27715/2019

This application is filed for substitution of legal heirs. It is stated that respondent No. 1 has died. Mr.Amit Mittal, son of the respondent is sought to be impleaded as a legal heir.

Learned counsel for the respondent has filed a reply where he states that apart from Mr.Amit Mittal, Ms.Santosh Mittal, wife of the deceased, Ms.Priyanka Mittal, daughter of the deceased and Ms.Aparna Mittal, daughter of the deceased are also the legal heirs of the deceased.

Mr.Amit Mittal and the legal heirs mentioned in the reply are taken on

record.

The application stands disposed of.

Review Pet. 251/2019

This review petition is filed for review of the judgment dated 10.02.2017 passed in RCR No. 452/2016.

Learned senior counsel for the petitioner has pointed out that this court in the order dated 10.02.2017 had noted that no suit for specific performance had been filed by the petitioner. It is urged that a suit for specific performance had been filed in 2013 though the same was dismissed. An appeal is pending against the said order. Admittedly, this aspect was not brought to the notice of the learned ARC.

In my opinion, it is clear that this fact could easily have been brought to the knowledge of the court when the learned ARC passed an eviction order. There is no plausible reason why this was not done. Even otherwise, if this fact is brought on record, it would not lead to any material change in the circumstance to warrant for review of the order of this court dated 10.02.2017. There are no grounds to allow the present review petition.

Learned counsel for the respondent states that they have in any case sold the property in question after expiry of the statutory period.

The review petition is dismissed.

JAYANT NATH, J

JANUARY 10, 2020

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