

**IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH**

**CRM Nos. 39148 & 39151 of 2021 in/and  
CRM-M No. 36933 of 2019  
Date of Decision: 07.12.2021**

Madan Lal (since deceased) through his LRs

..... Petitioner(s)

**Versus**

M/s. Rohit Food Products & Others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR**

Present: Mr. Sandeep Khunger, Advocate for the petitioner.

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**SURESHWAR THAKUR, J. (ORAL)**

1. Through the instant petition, one Madan Lal, had challenged the concurrent orders passed by both the Courts below, wherethrough his prayer for seeking an amendment to complaint No. NACT/320/2016, was dismissed.

2. The demise of the afore complainant / Madan Lal, is revealed in the application bearing CRM No. 39148 of 2021, to occur on 29.09.2020. Therefore, the demise of the afore complainant has occurred, during the pendency of the instant petition, before this Court.

3. Therefore, for succouring the afore contention, as made in the afore application, one Rajesh Kumar, the son of the afore Madan Lal (deceased), has, sworn an affidavit drawn on 12.11.2021. Consequently, the LRs of the deceased (supra), as mentioned in para-2 of the afore application, are permitted to be substituted in his place.

4. Application is allowed.

5. Amended memo of parties is taken on record.

6. However, at this stage, the learned counsel for the complainant-

petitioner(s), has placed on record an order made by the learned Magistrate

concerned, on 15.11.2021, where through he, after ordering for substitution of deceased-Madan Lal by his son Rajesh Kumar, proceeded to, on the apposite drawn settlement, made an order hence dismissing the complaint.

7. The main case, after notice of motion, stands listed for hearing on 13.05.2022.

8. On the oral request of the learned counsel for the petitioners, the main case is preponed from 13.05.2022, and, is taken up today itself.

9. In view of the afore, inasmuch as, the apposite complaint becoming ordered to be dismissed, therefore, the petition does not survives, and, rather it also becomes infructuous, and, is accordingly disposed of, as infructuous.

10. Pending application(s), if any, stand(s), disposed of.

**December 07, 2021**

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**( SURESHWAR THAKUR )**  
**JUDGE**

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|----------------------------------|---------------|
| <i>Whether Speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether Reportable</i>        | <i>Yes/No</i> |