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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA-2961-2019 (O&M)
Date of decision : 04.03.2024

Vijay Kumar Kapoor ... Appellant(s)
Versus
Ajay Kumar Kapoor ... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Rajesh Sethi, Advocate
Mr. Arun Biriwal, Advocate
Ms. Preeti Bansal, Advocate and
Mr. Paramdeep Singh, Advocate for the appellant.

ALKA SARIN, J. (ORAL)

CM-2028-C-2024

1. This is an application for impleading the legal representatives of the appellant, Vijay Kumar Kapoor, who is stated to have died.
2. For the reasons stated in the application, the same is allowed subject to all just exceptions and the legal representatives of the appellant, Vijay Kumar Kapoor, mentioned in para No.5 of the application are impleaded as a party. Vakalatnama signed by the legal representatives of the appellant, Vijay Kumar Kapoor, is already appended with the present application. Amended memo of parties is taken on record.

CM-2029-C-2024

3. This is an application for placing on record documents (Annexures A-1 to A-4).

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4. For the reasons stated in the application, the same is allowed subject to all just exceptions.

CM-2025-C-2024

5. This is an application for condonation of delay of 4 days in filing the application for restoration of the main appeal.

6. For the reasons stated in the application, delay of 4 days in filing the application for restoration of the main appeal is condoned. CM stands disposed off.

CM-2026-C-2024

7. The present application has been filed for restoration of the main case (**RSA-2961-2019**) which was dismissed for non-prosecution vide order dated 18.01.2024.

8. For the reasons stated in the application, the same is allowed. The main case (**RSA-2961-2019**) is restored to its original number. With the consent of the learned counsel for the applicant-appellant, the main case is taken on Board today itself.

RSA-2961-2019

9. Learned counsel for the applicant-appellant states that the civil suit was filed by the father against his own son and now after the death of Vijay Kumar Kapoor, who was the appellant in the present case, all the legal representatives have entered into a compromise and they do not wish to pursue the present appeal. In view thereof, the learned counsel for the

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applicant-appellant seeks permission to withdraw the present appeal.
Permitted to do so.

10. Dismissed as withdrawn. Pending applications, if any, also stand disposed off.

04.03.2024
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO