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

+ C.R.P. 59/2019, CM APPL. 9429/2019 & CM APPL. 10821/2019

OM PRAKASH SETHI

.....Petitioner

Through: Ms. Kanika Agnihotri and Mr. Sachin
Sharma, Advocates.

versus

ASHOK KUMAR KHATTAR

.....Respondent

Through: Mr. Deokant Tripathi, proxy counsel.

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

28.08.2024

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1. Ms. Kanika Agnihotri, learned counsel appearing on behalf of the petitioner submitted that the petitioner herein i.e., the defendant in the civil suit in question (Civil Suit no. 987/2017) has already expired and therefore, the concerned suit stands abated before the learned Trial Court.

2. Learned counsel appearing on behalf of the petitioner has placed on record an order dated 14th September, 2023 passed by the learned MM, NI Act-06, Central District, THC in case bearing no. Ct. Cases/538868/2016 for the perusal of this Court. The said order is taken on record.

3. It is submitted that in light of the aforesaid order, the instant petition may be dismissed as rendered infructuous with liberty to take relevant steps at the appropriate stage, if the plaintiff, i.e., the respondent herein files any application for revival of the aforesaid civil suit *qua* the deceased petitioner.

4. This Court has perused the aforesaid order and the same has also been



filed before this Court *vide* diary no. E-1913661/2023. A perusal of the same shows that the death of the petitioner stands verified by the concerned SHO.

5. In view of the above submissions made by the learned counsel appearing on behalf of the petitioner as well as the order dated 14th September, 2023, the instant petition is dismissed as rendered infructuous with liberty as prayed.

CHANDRA DHARI SINGH, J

AUGUST 28, 2024

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[Click here to check corrigendum, if any](#)