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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 409/2022**
SANJAY AGGARWAL

.....Petitioner

Through: Mr. Arun Srikumar with Ms. Mansi
Binjrajka and Mr. Ritwik Gupta,
Advocates.

versus

BHARAT AGGARWAL AND ORS

.....Respondent

Through: Ms. Manjula Gandhi with Mr. Raman
Tomar and Mr. Sandeep Jain,
Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **23.10.2024**

1. The challenge in the present petition is with respect to the order dated 16.02.2022 whereby the learned Trial Court has disposed of three applications filed in the CS (DJ) No. 17139/2016 and CS (DJ) No. 16606/2016.
2. By virtue of two applications, Mr. Sanjay Aggarwal (petitioner herein) was seeking his impleadment as sole representative of deceased (Mr. Jagdish Prasad Aggarwal). One Mr. Bharat Aggarwal (brother of Mr. Sanjay Aggarwal) had moved application under Order XXII Rule 10 read with Section 151 of CPC seeking his impleadment as well in the above said proceedings and by virtue of impugned order, the learned Trial Court has permitted both of them to be brought on record.
3. Petitioner is aggrieved by impleadment of his brother Mr. Bharat Aggarwal.
4. However, there is a subsequent development as the suit bearing No.

CM(M) 409/2022

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No. 17139/2016 has already been disposed of by the learned Trial Court on 12.08.2024 and copy of such judgment had also been placed on record.

5. In view of the above said material subsequent development, this Court does not find any reason to exercise its supervisory power under Article 227 of Constitution of India.

6. Ideally, as and when, the above said final order which has resulted in a decree is challenged by the parties, the orders impugned herein can also be challenged in such appeal.

7. The petition thus stands disposed of in aforesaid terms while giving liberty to the petitioner herein to challenge said orders in any such appropriate proceeding.

8. All rights and contentions of the parties are thus left open.

MANOJ JAIN, J

OCTOBER 23, 2024/sw