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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 1218/2023 & CM APPL. 38979/2023
JASWANT LAL @ JASWANT SINGH(DECEASED THROUGH
LRS)Petitioner

Through: Mr. R K Sharma with Ms. Ankita
Bhatia, Advocates.

versus

KISHAN CHANDRespondent

Through:

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+ CM(M) 1224/2023 & CM APPL. 39071/2023
JASWANT LAL @ JASWANT SINGH (NOW DECD) THROUGH
LRSPetitioner

Through: Mr. R K Sharma with Ms. Ankita
Bhatia, Advocates.

versus

KISHAN CHANDRespondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

05.08.2024

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1. These petitions have been filed under Article 227 of Constitution of India and the petitioners are objectors in Execution Petition No. 444/2017.
2. While such petitions were pending, the objector had moved application seeking amendment in the objection petition and such application was dismissed by learned Executing Court.
3. A review was also filed by the objectors and such review application was also dismissed and challenging the above said two orders, the present two petitions i.e. CM (M) 1218/2023 & CM (M) 1224/2023 have been filed.
4. At the very outset, Mr. R K Sharma, learned counsel for objectors states that these objections have become infructuous in the sense that the



objections as such have been dismissed finally vide order dated 05.06.2024 and since, the objector is already pursuing remedy by filing first appeal, the present petitions may be, accordingly, disposed of as having become infructuous reserving his right to agitate issue raised herein during the course of hearing of said appeal.

5. It is observed that the notice is yet to be issued to the opposite side with respect to the above said two petitions.

6. Undoubtedly, at one previous stage, this Court had observed that the petitioner was making false claims before this Court as well as the Executing Court and, therefore, a show cause notice was issued to him as to why a complaint under Section 340 Cr.P.C may not be made against him. Such observation is found recorded in order dated 04.08.2023.

7. However, the petitioner herein filed Special Leave Petition before the Hon'ble Supreme Court and such petition was taken up by the Hon'ble Supreme Court on 07.05.2024 and was disposed of while observing that said observation was only for the purposes of deciding the interim issue and it would not be referred in the proceedings while deciding the issue on merits and in any other case between the parties.

8. Since, in view of the above said development that the main objection petition has been dismissed and the petitioner is also not interested in pursuing the present petitions, the present petitions are hereby disposed of as having become infructuous.

9. All the rights and contentions of parties are reserved.

MANOJ JAIN, J

AUGUST 5, 2024/sw