



\$~46

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

+ **CM(M) 979/2022**

ROOP CHAND JAIN

.....Petitioner

Through: None

versus

ALKA MEHTA & ANR.

.....Respondent

Through: Mr. Jitin Sahani, Advocate for R-2

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **26.05.2025**

CM APPL. 32498/2025 (exemption)

Exemption allowed, subject to all just exceptions.

CM(M) 979/2022 & CM APPL. 32497/2025

1. None appears on behalf of the decree-holder.
2. Next date in the present petition is 16.09.2025.
3. On the last date also, there was no appearance from the side of decree-holder.
4. In the interregnum, present application has been filed from the side of the respondent/objector mentioning herein that the present petition has become infructuous.
5. It is submitted that the decree-holder had filed the present petition, feeling aggrieved by order dated 11.05.2022 whereby the objection of respondent no. 2 herein was allowed.
6. It is, however, informed that in the meanwhile, decree-holder Mr. Roop Chand Jain has died and no steps have been taken to bring on record his LRs. It is submitted that Execution Petition in question was taken by learned

CM(M) 979/2022

1



Executing Court on 04.04.2025 and it noticed that since LR's had, rather, refused to accept the Court Notice, there was no point in continuing with the aforesaid Execution Petition and such petition has thus been disposed of as abated.

7. Since Execution has already stood abated, there is no point in continuing with the present petition either.

8. In view of the aforesaid development, the present petition is also disposed of as having become infructuous.

9. It is, however, clarified that if, eventually, such abatement order is set aside, LR's of petitioner would be at liberty to revive the present petition.

10. Aforesaid application stands disposed of in the aforesaid terms.

11. Next date i.e. 16.09.2025 stands cancelled.

MANOJ JAIN, J

MAY 26, 2025/dr/shs