

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

I.A. 3/2016 in Civil Appeal No. 5123/2009

MUKESH NAYYAR (NAIYAR)

Appellant(s)

VERSUS

MADHU NAYYAR (NAIYAR) & ORS.

Respondent(s)

(for directions and office report)

Date : 16/08/2016 This application was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE SHIVA KIRTI SINGHFor Appellant(s) Mr. S. K. Bhattacharya, Adv.
Mr. Niraj Bobby Paonam, Adv.

For Respondent(s) Mr. Anuj Bhandari, Adv.

Ms. Ruchi Kohli, Adv.

UPON hearing the counsel the Court made the following

O R D E R

The appeal is dismissed in terms of signed
non-reportable judgment.

I.A. No.3 of 2016 stands disposed of.

J U D G M E N T

(Rajni Mukhi)
SR. P.A.(Renu Diwan)
ASSISTANT REGISTRAR

(Signed non-reportable Judgment is placed on the file)

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

I.A. NO.3 OF 2016
IN
CIVIL APPEAL NO. 5123 OF 2009

MUKESH NAYYAR (NAIYAR) APPELLANT

VERSUS

MADHU NAYYAR (NAIYAR) & ORS. RESPONDENTS

J U D G M E N T

KURIAN, J.

1. It is informed that the appellant expired on 13.06.2016. The issue pertains to the divorce granted by the Trial Court which has been set aside by the High Court.

2. Since the appellant is no more, no cause of action survives. Therefore, the appeal is dismissed.

3. However, we make it clear that in case of any surviving grievance with regard to the property or any other things, it will be open to the parties concerned, if aggrieved or interested, to pursue the same in appropriate proceedings.

I.A. No.3 of 2016 stands disposed of.

.....J.
(KURIAN JOSEPH)

.....J.
(SHIVA KIRTI SINGH)

NEW DELHI;
AUGUST 16, 2016