



2025:DHC:5950



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

% *Date of Decision: 18.07.2025*+ **CM(M) 108/2025 & CM APPL. 3235/2025**

VINOD KUMAR

.....Petitioner

Through: Mr. Mukesh Kumar, Mr. Sonu, Mr.
Rohan Aggarwal, Mr. Jai Kumar,
Advocates.

versus

KULWANT SINGH & ANR.

.....Respondents

Through: Mr. Mukul Singh, CGSC with Ms. Ira
Singh & Mr. Aryan Dhaka,
Advocates for R-3/UOI with Insp.
Vivekanand, SHO. Prashant Vihar.**CORAM:****HON'BLE MS. JUSTICE TARA VITASTA GANJU****TARA VITASTA GANJU, J.: (Oral)**

1. By an order dated 28.01.2025, the predecessor Bench of this Court, after hearing the submissions on behalf of the Petitioner in the matter, had passed the following directions:

“3. It is the case of the petitioner that no written statement was filed by him before the learned Tribunal. It is alleged that the signature of the petitioner was forged. The petitioner has placed on record the copy of written statement filed before the learned Tribunal. The same appears to have been filed through an advocate, namely, Mr. S.P. Sharma.

4. The petitioner is stated to have also filed a complaint before P.S. Prashant Vihar in that regard.

5. Let the State be impleaded as a necessary party in the present petition. On filing amended memo of parties by the petitioner within a week, notice be issued to the State through the learned Standing Counsel, returnable on 17.07.2025.



6. Status report be also filed by the State in regard to the investigation, before the next date of hearing.

7. The execution of the award dated 29.07.2017 is stayed against the petitioner herein. It is, however, made clear that this Court has not impeded the learned Executing Court from proceeding further against the other respondents.”

[Emphasis Supplied]

2. In essence, the predecessor Court had directed that a complaint was filed with the Police Station Prashant Vihar by the Petitioner in respect of the accident, which was subject matter of the Award, which is under challenge before this Court. The predecessor Court had thereafter directed the State be impleaded as a necessary party and Notice be issued to the State through Standing Counsel and a Status Report be filed.

3. On 17.07.2025, since no Status Report was filed, the matter was listed for today.

4. Today, learned Counsel for Respondent No.3/State appears and submits that he is unclear as to the directions that have been passed by the predecessor Court and that he is not a party to the present Petition, because amended memo of parties is not on record.

4.1 It is clarified for this purpose that the order dated 28.01.2025 is self-explanatory. The predecessor Court had impleaded the State as Respondent No.3 and directed the filing of the Status Report. Clearly, since the order of the predecessor Court is self-explanatory, the contention of the learned Counsel for Respondent No.3/State is without any merit.

5. Learned Counsel for Respondent No.3/State seeks to place on record a Status Report (photocopied signed). Let the Status Report be duly filed on record within four days.



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6. Learned Counsel for Respondent No.3/State, however, submits that notice has been issued to Police Station at Prashant Vihar, however, the complaint is pending in Police Station Narela, as per his instructions.

6.1 Let the status report be filed within three days with an advance copy to the learned Counsel for the Petitioner.

7. After some arguments, learned Counsel for the Petitioner seeks and is granted permission to withdraw the present Petition with liberty to file appropriate proceedings *albeit* in accordance with law to challenge the Impugned Award given the information as received from the Respondent No. 3.

8. The Petition is dismissed as withdrawn with liberty as prayed for in accordance with law. The pending Application stands closed.

9. The parties shall act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

JULY 18, 2025/ ha