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

% *Date of Decision: 20th August, 2025*

+ CM(M) 3950/2024 & CM APPL. 70087/2024

SATISH JEARTH AND ANRPetitioners

Through: None.

versus

ASHOK KUMAR JERATH (DEAD) THROUGH LRS

.....Respondent

Through: Ms. Kawaljit Kochar, Sr. Adv. with
Mr. Utkarsh Vats, Mr. Deepanshu, Mr.
Drohn Garg, Advs.

+ CM(M) 348/2025 & CM APPL. 10207/2025 & CM APPL. 18282/2025
SATISH JEARTH AND ANRPetitioners

Through: None.

versus

ASHOK KUMAR JERATH (DECEASED) THR LRS AND ORS

.....Respondent

Through: Ms. Kawaljit Kochar, Sr. Adv. with
Mr. Utkarsh Vats, Mr. Deepanshu, Mr.
Drohn Garg, Advs.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. A suit was filed by Sh. Ashok Kumar Jerath (since deceased)/respondent herein, whereby he was seeking declaration and



permanent injunction.

2. During pendency of the abovesaid suit, two different applications were filed by defendants No.2 & 3.
3. By virtue of one such application, they wanted to place on record certain additional documents and the learned Trial Court *vide* order dated 04.11.2024 has dismissed such application. Such order is subject matter of CM(M) 3950/2024.
4. Defendants No.2 & 3 also moved an application under Section 151 CPC thereby seeking re-examination of defendant No.2 and such application has been dismissed by learned Trial Court on 08.01.2025. It also needs to be highlighted that one more application had been filed by defendant No.3 whereby he was seeking permission to place on record additional affidavit in her examination-in-chief and even such request was not acceded to by learned Trial Court. Such orders have been challenged by filing CM(M) 348/2025
5. None appears on behalf of petitioners.
6. Learned senior counsel for respondent/plaintiff, however, submits that the suit in question has already been disposed of by learned Civil Judge on 17.05.2025 and, therefore, the present petitions have become infructuous.
7. A copy of such judgment has been sent through email. Let the abovesaid judgment be made part of the portfolio file.
8. Since the suit in question has already been adjudicated by learned Trial Court, there is no point in keeping the present petitions alive.
9. In case, petitioners herein are aggrieved by judgment delivered on 17.05.2025, they would be at liberty to challenge the orders which are impugned herein by taking recourse to Section 105 CPC.
10. Resultantly, present petitions stand disposed of in aforesaid terms.



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11. Pending applications also stand disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

AUGUST 20, 2025/ck/PB