

OMP (I) (COMM.) 446/26
HDFC BANK LTD Vs. RUBIN VIDHUDI

09.03.2026

Present: Sh Nehal Kashyap, Ld Counsel for the petitioner.

Sh Deepak Kohli, Ld Counsel for Sh Irfan Ali, uncle of the deceased respondent, through VC.

Sh Irfan Ali, uncle of deceased respondent alongwith Ld Proxy Counsel Mohd Shariz, in court.

Heard. Perused.

As per report of the Ahlmad, notice issued to the respondent in the ordinary course was received back with the report that “one girl namely Iqra was found at the given address who told that she was the cousin of the respondent and further stated that respondent Rubin Vidhudi has already died on 30-10-2025”. Copy of the death certificate was also annexed with the said report. As per further report, the notice of the petition issued to the respondent through speed post was received back with the report that the respondent had died. However, no report on the notice of the petition issued to the respondent through courier was received back. Further, notice of the petition in pdf was also sent to the respondent through whatsapp on mobile no. 9999946201 on 23-02-2026, to which double ticks on whatsapp were received. Also notice of the petition was also sent through e-mail on e-mail ID rubinvidhudi1234@gmail.com and it is not reported that the said e-mail was bounced.

As per further report of the Ahlmad, reply to the petition alongwith vakalantnama were e-filed on 06-03-2026. Ld. counsel for the respondent undertakes to place hard copies thereof in judicial file and supply e-copies thereof to the Ld Counsel for the petitioner immediately.

Contd....2

Ld Counsel for the aforesaid uncle of deceased respondent has submitted that respondent had expired on 30-10-2025 and intimation in this regard was given to the petitioner on 12-11-2025. He has further stated that the loan in question was secured with the Insurance Company and therefore the deceased respondent was or his LRs are not liable for any re-payment thereof and further that the ex-parte interim order was obtained by the petitioner by suppression of said facts. **Ld Counsel for the aforesaid uncle of the deceased respondent has submitted that the ex-parte interim order dated 09-02-2026 may be vacated. Accordingly, considering the factum of death of respondent prior to passing of interim order, the ex-parte interim order dated 09-02-2026 is vacated.**

At this stage, Ld. Counsel for the petitioner has submitted that pursuant to appointment of receiver by this Court, the financed vehicle in question could not be repossessed and has further requested that the present petition may be dismissed as withdrawn with liberty to petitioner to pursue other legal remedies. In view of his statement to the said effect recorded separately, the present petition is dismissed as withdrawn with liberty as prayed for.

Petitioner shall remain bound by the statement made by its counsel today.

File be consigned to record room.

(The Court is satisfied qua the audio & video connectivity of video conference hearing)

(Ashutosh Kumar)

**District Judge (Commercial Court)-01
West, Tis Hazari Courts, Delhi/09.03.2026**

At this stage at 12.15 p.m. Sh Deepak Kohli, Ld Counsel for Sh Irfan Ali, uncle of the deceased respondent, has appeared and placed hard

Contd.....3

copies of the reply, statement of truth, copy of death certificate of the respondent and copy of e-mail communication with the petitioner on judicial file.

(Ashutosh Kumar)
District Judge (Commercial Court)-01
West, Tis Hazari Courts, Delhi/09.03.2026