2026:DHC:1324

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

\+ O.M.P. 1413/2014, I.A. 8288/2018 (For modifications of orders 23.02.2015) & I.A. 11517/2018 (For Delay 44 days in filing the Reply by the petitioner to I.A. No. 8288/2018)

V K NAYAR .....Petitioner

Through: Mr Mrityunjay Kumar, Adv. for Petitioner 1 A and 1C

versus

G P NAYAR & ANR .....Respondents

Through: Mr. Dheeraj Malhotra, Mr. Vishal Verma & Mr. Rahul Gupta, Advs. for R-1(c)

CORAM:
HON'BLE MR. JUSTICE HARISH VAIDYANATHAN SHANKAR

O R D E R

% **27.02.2026**

I.A. 17435/2022 (D/O Vide order dt. 23.12.2025)

1. The present application has been filed on behalf of the Petitioner under Order 22 Rule 4 & 9 of Section 151 of the Civil Procedural Code, 1908, read with section 5 of the Limitation Act, 1963, to set aside the abatement of the proceedings against Respondent No. 1.

2. Learned counsel for the Petitioner refers to and relies upon the judgments passed by the Hon'ble Supreme Court in ***Mithailal Dalsangar Singh and Ors. v. Annabai Devram Kini and Ors***.[(2003)10 SCC 691], as well as the judgments of a Co-ordinate Bench of this Court in ***Madan Mohan Gupta and Ors. v. Jagran***

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Prakashan Public Ltd. And Ors.[MANU/SC/0722/2003], and ***Thakur Dass v. Devinder and Ors***.[MANU/DEOR/14961/2024].

3. Learned counsel appearing for the Respondents submits that he would require some time to address his arguments.

4. At the request of learned counsel for the Respondents, list on 10.04.2026.

HARISH VAIDYANATHAN SHANKAR, J.

FEBRUARY 27, 2026/ ν/her

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