

ITEM NO.66+41

COURT NO.16

SECTION IV-C

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

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (C) NOS.7114-7115/2025

[Arising out of impugned final judgment and order dated 27-01-2025 in FA No. 206/2019 27-01-2025 in FA No. 3/2023 passed by the High Court of Chhatisgarh at Bilaspur]

SANJAY KUMAR MODI & ORS.

PETITIONER(S)

VERSUS

GEETA DEVI MODI & ORS.

RESPONDENT(S)

(FOR ADMISSION

IA No. 63962/2025 - EXEMPTION FROM FILING O.T.)

WITH

SLP(C) NOS. 10247-10248/2025

(IV-C)

(IA No. 91195/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 91196/2025 - EXEMPTION FROM FILING O.T.)

ITEM NO.41

(SECTION IV-C)

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (C) NOS.4203-4204/2025

[Arising out of impugned final judgment and order dated 05-12-2024 in FA No. 3/2023 05-12-2024 in FA No. 206/2019 passed by the High Court of Chhatisgarh at Bilaspur]

SIDDHARTH SHUKLA

PETITIONER(S)

VERSUS

GEETA DEVI MODI & ORS.

RESPONDENT(S)

(FOR ADMISSION and I.R.)

Date : 28-04-2025 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KAROL
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) :Mr. K. Parameshwar, Sr. Adv.
Mr. Vishnu Sharma A.s., AOR
Mr. Sreenivas Patil, Adv.

Mr. Raghenth Basant, Sr. Adv.
Mr. Lzafeer Ahmad B. F., AOR
Mr. Siddhartha Shukla, Adv.
Mr. Sachin Dubey, Adv.
Mr. Sidharth Kaushik, Adv.
Ms. Hima Bharadwaj, Adv.

For Respondent(s) :Mr. Siddharth Bhatnagar, Sr. Adv.
Mr. Siddharth R Gupta, Adv.
Mr. Mrigank Prabhakar, AOR
Mr. Aditya Sidhra, Adv.
Mr. Sankalp Kochar, Adv.
Mr. Siddhant Kochar, Adv.
Mr. Aman Agarwal, Adv.
Mr. Uddaish Palya, Adv.
Ms. Vidisha Raman, Adv.
Mr. Siddharth Sahu, Adv.

UPON hearing the counsel the Court made the following
O R D E R

SLP (C)NOS.7114-7115/2025; SLP(C) NOS.10247-10248/2025; AND
SLP(C)NOS.4203-4204 OF 2025

1. Having heard learned senior counsel for the parties, we are of the considered view that interest of justice would be best met, more so when the order of abatement ought to have been set aside and legal heirs of the deceased petitioner brought on record, with the disposal of the present petitions on the following terms:-

(a) The order of the abatement *qua* deceased- *Madan Lal Modi*, who died on 11.04.1992 is set aside. His legal representatives, respondents Nos.1 to 10 in F.A.No.03/2023 would stand substituted as plaintiffs.

(b) Having regard to the order dated 09.08.2024, whereby the

Court had fixed the next date of hearing as 06.09.2024, when the matter was adjourned, we set aside the common impugned orders dated 05.12.2024 and 27.01.2025 passed in First Appeal No.206/2019 and F.A. No.03/2023 by the High Court of Chhattisgarh. As such the appeals are restored to their original number and position, with the legal heirs being brought on record.

2. We direct all the parties to appear before the High Court on 27th June, 2025. We request the High Court to take up the appeals and decide on the same expeditiously and, preferably, within a period of three months. Needless to add, the parties shall not take any unnecessary adjournment.
3. All the contentions of the respective parties are left open, should they desire, to be raised before the appropriate forum, to be decided in accordance with law.
4. Pending applications, if any, shall stand disposed of.

(JAGDISH KUMAR)
COURT MASTER (SH)

(PREETI SAXENA)
COURT MASTER (NSH)