

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5178 OF 2010

M.P. ELECTRICITY BOARD

Appellant(s)

VERSUS

M/S JYOTI INDUSTRIES

Respondent(s)

O R D E R

Mr. Bharat Swaroop Sharma, learned counsel appearing for the respondent, has produced copies of the Death Certificates of the partners of M/s Jyoti Industries, namely Mr. Raj Kumar Kukreja, who died on 06.01.2016 and Mr. Vishnu Mal Kukreja, who died on 03.10.2010.

The Partnership Deed shows that the Partnership was at Will and, therefore, after the death of the partners, the Partnership stands dissolved. The legal heirs of the erstwhile partners have not been impleaded as parties.

In view of the aforesaid fact, the present appeal is dismissed as abated but by leaving the question of law open, to be decided in an appropriate case.

.....J.
[HEMANT GUPTA]

.....J.
[V. RAMASUBRAMANIAN]

New Delhi;
SEPTEMBER 21, 2021

ITEM NO.106

COURT NO.11

SECTION XVII-A

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

Civil Appeal No(s). 5178/2010

M.P. ELECTRICITY BOARD

Appellant(s)

VERSUS

M/S JYOTI INDUSTRIES

Respondent(s)

Date : 21-09-2021 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

For Appellant(s) Mr. Ashwin Nair, Adv.
Mr. Kunal Verma, AOR

For Respondent(s) Mr. Bharat Swaroop Sharma, Adv.
Mr. R. Sathish, AOR

Mr. Ashwani Bhardwaj, AOR

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

The appeal is dismissed as abated in terms of the signed order.

Pending interlocutory application(s), if any, is/are disposed of.

(JAYANT KUMAR ARORA)
COURT MASTER

(RENU BALA GAMBHIR)
COURT MASTER

(Signed order is placed on the file)