

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 13572-13573 of 2017  
(Arising out of SLP(C)No(s).35126-35127 of 2015)

PARKASH CHAND KAPOOR (DECEASED) THR. LRS. Appellant(s)

VERSUS

VINOD KAPOOR @ VINOD KUMAR Respondent(s)

O R D E R

Leave granted.

We have heard learned counsel for the parties and perused the record.

The application of the respondent-defendant for setting aside the ex-parte decree has to be considered by the court which passed the decree. In the present case, the decree was passed by the appellate court.

In view of above, we modify the impugned order. The respondent-defendant may file the application for setting aside the decree before the appellate court.

The appeals are accordingly disposed of.

.....J.  
(ADARSH KUMAR GOEL)

.....J.  
(UDAY UMESH LALIT)

New Delhi,  
September 15, 2017.

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) No(s). 35126-35127/2015

(Arising out of impugned final judgment and order dated 31-07-2015 in RSA No. 280/2007 in CM No. 10043/2015 16-05-2014 in RSA No. 280/2007 passed by the High Court Of Delhi At New Delhi)

PARKASH CHAND KAPOOR (DECEASED) THR. LRS. Petitioner(s)

VERSUS

VINOD KAPOOR @ VINOD KUMAR Respondent(s)

(IA No.90674/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

Date : 15-09-2017 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL  
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Ms. Manisha Agrawal Narain, Adv.  
Mr. Pashupathi Nath Razdan, AOR

For Respondent(s) Mr. Mohit Paul, AOR  
Ms. Meena Chaudhary Sharma, Adv.  
Mr. Puneeth K.G., Adv.

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

Leave granted.

In terms of the signed order, the appeals are disposed of.

Pending applications, if any, shall also stand disposed  
of.

(MAHABIR SINGH)  
COURT MASTER

(PARVEEN KUMARI PASRICHA)  
COURT MASTER  
(Signed order is placed on the file)