

SUPREME COURT OF INDIA

Mukesh Nayyar (Naiyar)

Vs.

Madhu Nayyar (Naiyar) & Ors.

C.A.No.5123/2009

(Kurian Joseph and Shiva Kirti Singh,JJ.,)

16.08.2016

JUDGMENT

Kurian Joseph,J.,

1. It is informed that the appellant expired on 13.06.2016. The issue pertains to the divorce granted by the Trial Court which has been set aside by the High Court.

2. Since the appellant is no more, no cause of action survives. Therefore, the appeal is dismissed.

3. However, we make it clear that in case of any surviving grievance with regard to the property or any other things, it will be open to the parties concerned, If aggrieved or interested, to pursue the same in appropriate proceedings.

I.A. No.3 of 2016 stands disposed of.