

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3670 OF 2022  
[ @ SPECIAL LEAVE PETITION (C) NO. 4833 OF 2022 ]

CLAIRE JOSEPHINE CARNOT (DIED)  
THROUGH LRS.

Appellant (s)

VERSUS

ARAMAND DE LA VICTOIRE (DIED) THROUGH LRS.

Respondent(s)

O R D E R

Leave granted.

The challenge in the present appeal by the Plaintiff is to an order dated 03.02.2020 whereby an application filed by the appellants to condone delay in filing the appeal was dismissed, though the appeal against the same Judgment and Decree at the instance of the Defendant is pending before the First Appellate Court.

Since the appeal against the Judgment and Decree is pending, may be at the instance of the defendants, we find it fair and reasonable to condone the delay in filing the appeal, so that the issues are decided on merits at one go.

Consequently, delay in filing the appeal is condoned. The appeal filed by the appellants shall be decided by the High Court along with A.S. No. 508 of 2016.

In view of above, the instant appeal is disposed of.

It shall be open to the parties to raise such arguments on question of law and facts as may be available to them in accordance with law.

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

.....J.  
[ HEMANT GUPTA ]

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

New Delhi;  
MAY 06, 2022.

ITEM NO.28

COURT NO.11

SECTION XII

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

Petition(s) for Special Leave to Appeal (C) No(s). 4833/2022

(Arising out of impugned final judgment and order dated 03-02-2020 in CMP No. 1923/2020 passed by the High Court Of Judicature At Madras)

CLAIRE JOSEPHINE CARNOT (DIED) THROUGH LRS.                      Petitioner(s)

**VERSUS**

ARAMAND DE LA VICTOIRE (DIED) THROUGH LRS.                      Respondent(s)

(FOR ADMISSION)

Date : 06-05-2022 This petition was called on for hearing today.

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

For Petitioner(s) Mr. R. Balasubramanian, Sr. Adv.  
Mr. A. Vasanthakumar, Adv.  
Mr. Biju Thankappen, AOR  
Mr. Kaushal Kishore, Adv.

For Respondent(s) Mr. G. Balaji, AOR

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

Leave granted.

The Civil Appeal is disposed of 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)