



\$~57

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CM APPL. 1649/2025 in**  
**RFA 185/2023**

SWATANTRA KUMAR JINDAL .....Appellant

Through: Mr. Soumitra Chatterjee, Advocate.

versus

M/S R. BROTHERS ENTERPRISES PRIVATE LIMITED

.....Respondent

Through: None.

**CORAM:**  
**HON'BLE MR. JUSTICE GIRISH KATHPALIA**

**ORDER**  
% **13.01.2025**  
[Physical Hearing/Hybrid Hearing (as per request)]

**CM APPL. 1649/2025 (for directions)**

1. The appellant seeks permission to deposit Rs. 8,00,000/- with the Registry of this court towards decretal amount. The present appeal assails judgment and decree for recovery of Rs. 30,00,000/-. By way of order dated 10.04.2024, the predecessor bench stayed the execution proceedings subject to the appellant depositing Rs. 10,00,000/- with the Registry of this court. That amount has never been deposited. On 09.05.2024, an application for modification of order dated 10.04.2024 was taken up and the same was withdrawn by learned counsel for appellant. Even thereafter, that amount of Rs. 10,00,000/- was not deposited by the appellant. On 29.05.2024, an application filed by the appellant for taking on record a demand draft of Rs. 8,00,000/- was taken up and the same was withdrawn by learned counsel for



appellant. Even thereafter, that amount of Rs. 10,00,000/- was not deposited. On 08.10.2024, when none appeared for appellant, the appeal was dismissed in default. Thereafter, the appellant sought restoration of the appeal, on which notice has been issued returnable on 23.01.2025.

2. Considering the above circumstances, I find the application not just completely devoid of merit but even frivolous, so the application is dismissed with costs of Rs. 10,000/- to be deposited by appellant with DHCLSC within one week.

**RFA 185/2023**

3. List on the date already fixed i.e, 23.01.2025.

**GIRISH KATHPALIA, J**

**JANUARY 13, 2025/ry**

*Click here to check corrigendum, if any*