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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RFA 105/2024 and CM APPL. Nos. 8321-22/2024**

CANARA BANK Appellant
Through: **Ms.Raakhi Sahijpal, Advocate**

versus

MARSHAL PROPERTIES PVT LTD Respondent
Through: **Mr.Arvind Bhatt and Mr.Kuber Giri,**
Advocates

CORAM:
HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

% **ORDER**
07.05.2024

CM APPL. 8321/2024 (Delay)

For the reasons stated in the application, the same is allowed and the delay of five days in filing the appeal is condoned.

The application stands disposed of.

RFA 105/2024 and CM APPL. Nos. 8321-22/2024 (Stay)

8. Learned counsel appearing on behalf of the appellant/applicant, submitted that the Execution Court has taken cognizance of the execution petition and the notice has been issued to the appellant where the next date of hearing before the Court is 9th May, 2024.

9. Learned counsel appearing on behalf of the appellant, on instructions, undertakes to submit a bank guarantee for a sum of Rs.35,00,000/- within a



period of two weeks and prayed that the operation of the impugned judgment/decreed be stayed till the next date of hearing.

10. Learned counsel appearing on behalf of the respondent vehemently opposed the prayer made by the applicant submitting to the effect that if the Court is inclined to grant interim relief, the appellant may be directed to submit a bank guarantee of the entire decretal amount.

11. In view of the submissions made by the learned counsel appearing on behalf of the appellant, subject to the appellant furnishing a bank guarantee for a sum of Rs.35,00,000/- with the Registrar General of this Court within a period of two weeks, the operation of the impugned judgment and the decree shall remain stayed till the next date of hearing.

12. The Trial Court Record in digital form be requisitioned.

13. The parties are directed to file their written submissions along with convenience compilation with in a period of four weeks.

14. List for final hearing on 8th August, 2024.

CHANDRA DHARI SINGH, J

MAY 7, 2024

SV/AV

Click here to check corrigendum, if any