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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RFA 143/2025**

ASHUTOSH KUMAR MATHURAppellant
Through: Mr. Mukesh Tiwari, Advocate

versus

PANKAJ GARGRespondent
Through: Mr. Milind Garg, Advocate

CORAM: MS. PANNA DUTTA, REGISTRAR

ORDER

% **04.02.2026**

RFA 143/2025, CM APPL. 9343/2025 (for summoning trial court record), CM APPL. 9344/2025 (for filing lengthy synopsis and list of dates), CM APPL. 9346/2025 (for additional documents) & CM APPL. 9342/2025 (stay)

1. Learned counsel for the appellant submits that he is willing to pay cost of Rs.5,000/- imposed vide Order dated 24.09.2025 to the respondent today subject to the respondent paying cost to the appellant for non-supplying CM No.60414/2025 seeking vacation of stay before 26.09.2025. Learned counsel further submits that CM No.60414/2025 was sent to the address of the appellant despite his details being mentioned in Appeal. Learned counsel further requests for waiver of costs imposed in case, the respondent is not burdened with costs for non-supply of CM No.60414/2025 due to which appellant remained unrepresented on the last two dates.



2. Learned counsel for the respondent protests vehemently to the submissions made by the learned counsel for the appellant. It is submitted that entire paper-book has been received yesterday only. It is further stated that appeal paper-book was deliberately mailed at pankajgargprakash196@gmail.com on 12.02.2025 whereas the correct e-mail address is pankajgargprakash1962@gmail.com.
 3. Learned counsel for respondent submits that appellant has not filed affidavit of service deliberately as directed in Order dated 06.08.2025 on this ground.
 4. A perusal of the e-mail address where paper-book was mailed shows a minor typographical error. Learned counsel for the appellant submits that it happened inadvertently.
 5. In view of above, cost of Rs.5,000/- imposed vide Order dated 24.09.2025 is waived.
 6. Reply be filed within five weeks.
 7. Rejoinder thereto, if any, be filed within five weeks thereafter.
 8. Re-notify on 10.07.2026.
- CM APPL.60414/2025**
9. List the application before the Hon'ble Court on 24.03.2026.

REGISTRAR

FEBRUARY 4, 2026

vk



This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 16/02/2026 at 13:05:28