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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RFA 180/2020**

SANJAY BHARDWAJ Appellant
Through: Mr. Saran Suri, Mr. Shobhit Sharma
& Mr. Yash Agarwal, Advocates

versus

VINOD KUMAR AGARAWAL Respondent
Through: Mr. Sanjiv Sehgal, Advocate

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

% **ORDER**
18.11.2020

Hearing has been conducted through Video Conferencing.

CM APPL. 9298/2020

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

CM APPL. 28372/2020

1. This is an application filed by the Appellant seeking early hearing of the Appeal which is listed on 22.12.2020 on the ground that the execution is listed before the Executing Court on 20.11.2020 and vide order dated 23.10.2020 the Executing Court has issued warrants of attachment of the moveable property of the Appellant.
2. Notice was issued for today. Mr. Sanjiv Sehgal accepts notice on behalf of the Respondent and submits that he has no objection to the early hearing application being allowed.
3. The appeal was listed on 11.03.2020 for admission and was adjourned



to 01.04.2020. Thereafter it was adjourned to 22.12.2020 on account of the Notification issued due to Pandemic. No notice has been issued in the appeal so far for the aforesaid reasons.

4. For the reasons stated in the application the Appeal is taken up for hearing for admission.

5. Application stands disposed of.

RFA 180/2020 & CM APPL. 9297/2020

5. This is an Appeal against the judgement dated 19.11.2019 passed by the Trial Court whereby the suit of the Respondent for recovery has been decreed in favour of the Respondent awarding a sum of Rs. 10 Lacs along with interest at the rate of 12% per annum from the date of legal notice dated 19.04.2016 till filing of the suit as well as pendente lite interest on the said amount @ 9% per annum from the date of filing of the suit till realisation of the decretal amount.

6. Issue notice.

7. Mr. Sanjiv Sehgal accepts notice on behalf of the Respondent.

8. Reply be filed within four weeks from today. Rejoinder thereto, if any, be filed before the next date of hearing.

9. List on 9th March, 2021.

10. The date of 22.12.2020 stands cancelled.

CM APPL. 9296/2020

11. Issue notice.

12. Mr. Sanjiv Sehgal accepts notice on behalf of the Respondent.

13. On the Appellant depositing 75% of the decretal amount within a period of 7 days from today, proceedings before the Execution Court in Execution Petition No. 137/2020 shall remain stayed till the next date of



hearing.

14. List on 9th March, 2021.

NOVEMBER 18, 2020/rd

JYOTI SINGH, J