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

+ RFA 351/2023

SAMEER MAHANDRU

.....Appellant

Through: Counsel (appearance not given).

versus

KISHAN YADAV

.....Respondent

Through: Mr. Jagdeep Singh Lamba, Ms. Rashi Yadav and Mr. Saptashwa Sarkar, Advocates.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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22.07.2025

CM APPL. 39367/2025 & CM APPL. 32542/2025

By way of CM APPL. No.39367/2025 filed under section 5 of the Limitation Act 1963 read with section 151 of the Code of Civil Procedure 1908 ('CPC'), the applicant/appellant seeks condonation of 21 days' delay in complying with order dated 24.04.2025, whereby they were directed to deposit the entire decretal amount alongwith up-to-date interest in this court within 02 weeks of that order; and subject to such deposit, the effect and operation of the impugned judgment and decree had been stayed.

2. By way of CM APPL. No.32542/2025 filed under section 151 CPC, the applicant/respondent seeks immediate vacation of the stay granted *vide* order dated 24.04.2025, in view of the appellant having failed to make the requisite deposit.



3. Learned counsel appearing for the appellant submits, that by reason of some financial constraints they had prepared the demand draft for the decretal amount alongwith interest on 28.05.2025; but before that CM APPL. No.32542/2025 came to be filed by the respondent.
4. Considering the period of delay and the other attendant circumstances, the present applications are disposed-of, directing that subject to the appellant depositing the entire decretal amount alongwith interest upto 30.05.2025 within 05 days, the appellant shall be entitled to the benefit of order dated 24.04.2025.
5. The applications stand disposed-of.

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6. As requested, let written synopsis filed by the respondent be taken on record.
7. Re-notify on 06th August 2025, the date already fixed.

ANUP JAIRAM BHAMBHANI, J

JULY 22, 2025/ak