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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RFA 185/2022 & CM Appl.20941/2022**

MS SREI EQUIPMENTS FINANCE PVT LTD Appellant

Through: Mr. Rajiv Ranjan Dwivedi, Adv.
versus

ASHOK KUMAR MALIK Respondent

Through: Mr. Vijay Pal Singh, Adv.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

% **10.09.2024**

1. This Court by its order dated 04.05.2022 had granted a stay of the Impugned Judgment/Decree dated 10.08.2020 subject to the Appellant depositing 75% of the decretal amount within eight weeks.
2. The report of the Registry shows that the amount has since not been deposited till today despite a lapse of more than two years.
3. Learned Counsel for the Appellant submits that the Appellant has gone into liquidation and that proceedings are pending before the National Company Law Tribunal, Mumbai Bench. He further submits that he has already filed an appropriate application to bring these facts on record.
4. In view of what has been stated above and in view of the fact that the order dated 04.05.2022 granting a stay of the Impugned Judgment/Decree was subject to the deposit by the Appellant which has not been done, the order dated 04.05.2022 is hereby vacated.
5. The Appellant/IRP shall file an appropriate affidavit within a period of two weeks setting out whether a moratorium has been imposed under Section 14 of the Insolvency and Bankruptcy Code, 2016.
6. List on 26.09.2024 in the supplementary list.



7. Parties will act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

SEPTEMBER 10, 2024/r

Click here to check corrigendum, if any