



\$~5

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

+ RFA 454/2019

SHEELA DEVI (DECEASED) THR LRS Appellant

Through Mr.Bhagat Singh with Mr.Puyush
Joshi, Mr.Saurabh Jain, Advs.

versus

VIKAS MOHAN (DECEASED) THR LRS Respondent

Through None.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **27.05.2019**

C.M. No. 22768/2019

Exemption allowed, subject to all just exceptions.

C.M. No.22769/2019 (condonation of 41 days delay in re-filing the appeal)

For the reasons stated in the application, the same is allowed and the delay of 41 days in re-filing the appeal is condoned.

The application stands disposed of.

RFA 454/2019 & C.M. No.22767/2019 (stay)

The basic contention of the learned counsel for the appellant is that notwithstanding the fact that a specific issue with regard to the limitation was framed by the Court in Suit No.616159/16, no finding qua the said issue has been given by the learned Trial Court while passing the final judgment, even though the suit filed by the



respondent was clearly barred by limitation.

Issue notice to the respondent through ordinary process and speed post returnable on 01.08.2019.

Till the next date, the operation of the impugned judgment and decree shall remain stayed.

REKHA PALLI, J

MAY 27, 2019

sr