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

+ RFA 407/2025

SMT MEENA CHADHA

.....Appellant

Through: Mr. Prashant Mehta, Advocate.

versus

SH KRISHAN KUMAR AGARWAL & ORS.Respondents

Through: Mr. Rahul Gupta, Mr. Shekhar Chand Gupta, Mr. Raghwendra P. Rao, Mr. Mridul Vats, Mr. Shashant and Mr. Mahendra Pratap, Advocates for R-1 to 4.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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06.05.2025

CM APPL.27527/2025 (exemption)

Exemption allowed, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed-of.

CM APPL. 27528/2025 (condonation of delay of 12 days' in filing)

By way of the present application filed under section 5 of the Limitation Act 1963 read with section 151 of the Code of Civil Procedure 1908 ('CPC'), the appellant/applicant seeks condonation of 12 days delay in *filing* the regular first appeal.

2. For the reasons stated in the application, which is duly supported by an affidavit, the application is allowed.



3. The delay in *filing* is condoned.
4. The appeal is taken on Board
5. The application stands disposed-of.

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6. By way of the present regular first appeal filed under section 96 read with Order XLI CPC, the appellant impugns judgment and decree dated 27.11.2024 passed by the learned District Judge-04 (South-East), Saket Courts, New Delhi in suit bearing CS DJ No.10365/2016.
7. Issue notice
8. Mr. Rahul Gupta, learned counsel appears on behalf of respondents Nos. 1 to 4 on advance copy and accepts notice.
9. Mr. Gupta has pointed-out certain errors in the synopsis filed alongwith the present appeal. Mr. Prashant Mehta, learned counsel appearing on behalf of the appellant seeks leave to make appropriate corrections. Let the needful be done before the next date; with copy to the opposing counsel.
10. Upon the appellant taking steps, let notice be sent to the respondents Nos.5 and 6 by all permissible modes, returnable for the next date.
11. Let Trial Court Record be requisitioned in electronic form; and copy of TCR be supplied to counsel, on request.
12. Re-notify on 21st August 2025 before the learned Joint Registrar for completion of service upon respondents Nos.5 and 6.
13. In the meantime, as agreed to by learned counsel appearing on behalf of the parties, the parties who are represented in court today are referred to mediation before the Delhi High Court Mediation & Conciliation Centre, with a request to the learned Organizing



Secretary to appoint an appropriate mediator in the matter. The other parties to the dispute are also at liberty to join mediation.

14. Let the parties approach the Mediation Centre on Friday *i.e.* 09th May 2025 at 02:30 p.m. for the above purpose.
15. A copy of this order be sent to the learned Organizing Secretary of the Mediation Centre, for information and compliance.
16. Awaiting the outcome of mediation, list before court on 2nd September 2025.

CM APPL. 27526/2025 (stay)

17. The appellant/applicant seeks stay of judgment and decree dated 27.11.2024.
18. Issue notice.
19. Mr. Gupta accepts notice on behalf of respondents Nos. 1 to 4.
20. Upon the appellant/applicant taking steps, let notice be sent to the respondents Nos.5 and 6 by all permissible modes, returnable for the next date.
21. Let the notice indicate that reply to the application be filed within 06 weeks of service; rejoinder thereto, if any, be filed within 04 weeks thereafter; with copy to the opposing counsel.
22. Re-notify on 21st August 2025 before the learned Joint Registrar for completion of service and pleadings in this application.
23. List before court on 02nd September 2025.

ANUP JAIRAM BHAMBHANI, J

MAY 6, 2025/ss