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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO 204/2022**

HARJEET SINGH THROUGH SPA HOLDER Appellant
Through: **Mr. Shivendra Singh and Mr. Bikram Dwivedi, Advocates.**

versus

INDERPAL SINGH & ANR. Respondents
Through: **Mr. Kanwal Chaudhary, Advocate for respondent No.2.**

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **04.08.2022**

CM APPL. 34413/2022 and CM APPL. 34414/2022

1. Allowed, subject to all just exceptions.
2. Applications are disposed of.

CM APPL. 34415/2022 (Delay)

1. By way of present application filed under Section 151 CPC read with Section 5 of the Limitation Act, the appellant seeks condonation of delay of 2 days in re-filing the appeal.
2. Issue notice.
3. Learned counsel for respondent No.2 accepts notice and fairly does not oppose the application.
4. For the reasons stated in the application and in view of the no-objection given by respondent No.2, delay of 2 days in re-filing the appeal is condoned.
5. Application is disposed of.



FAO 204/2022, CM APPL. 34412/2022

1. By way of present appeal filed under Section 104(1)(i) read with Order 43 Rule 1(c) CPC, the appellant has assailed the order dated 17.12.2019 passed by the learned ADJ-03, North West District, Rohini Courts, Delhi in M.No. 277/2019, whereby his application filed under Order 9 Rule 7 read with Section 151 CPC for recall of order dated 01.05.2019 was dismissed.
2. Issue notice.
3. Mr. Kanwal Chaudhary, learned counsel for respondent No.2, accepts notice and seeks some time to file a reply.
4. On appellant taking steps, notice be issued to respondent No.1 through all permissible modes.
5. Renotify on 11.01.2023.

C.M. No...../2022 (to be numbered)

1. Learned counsel for the appellant submits that an application under Section 5 of the Limitation Act seeking condonation of delay in filing the present appeal shall be filed during the course of the day.
2. The Registry shall number the application.
3. On such application being filed, notice be issued in the application. Mr. Kanwal Chaudhary, learned counsel for respondent No.2, accepts notice in advance and seeks some time to file a reply.
4. On appellant taking steps, notice be issued to respondent No.1 through all permissible modes.

MANOJ KUMAR OHRI, J

AUGUST 4, 2022/ga

[Click here to check corrigendum, if any](#)