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

+ **RFA 620/2023 & CM APPL. 39712/2023**

MOHD.NOOR HASSAN

.....Appellant

Through: Ms. Archana Midha, Advocate.
Appellant in-person.

versus

ASHOK KUMAR PASSI

.....Respondent

Through: Mr. N.K. Aggarwal, Ms. Sanjana
Antil, Mr. Amanpreet Kaur, Ms.
C. Ravathy and Mr. Akash,
Advocates.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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24.11.2025

CM APPL. 39710/2023

Ms. Archana Midha, learned counsel appearing for the appellant submits, that CM APPL. No.5641/2025 seeking extension of time to deposit 75% of the principal decretal amount, was dismissed *vide* order dated 30.01.2025. Counsel submits however, that the appellant requires stay of proceedings before the learned Executing Court in relation to the money decree, since failing that, the appeal would become infructuous.

2. For the record, the suit was decreed for possession, arrears of rent as well as *mesne-profits*/damages; and possession of the suit property has already been surrendered by the appellant to the respondent



through bailiff in the execution proceedings.

3. Learned counsel for the respondent has appeared *via* video-conferencing; and submits that in the execution proceedings, the appellant has filed an undertaking that they would pay the entire decretal amount which comes to about Rs. 24 lacs by or before 31.12.2025; and a sum of Rs.11 lacs has already been paid towards that sum. Though a copy of the undertaking has not been placed on record, learned counsel appearing for the appellant confirms that such an undertaking has been given before the learned executing court.
4. In the circumstances, there is no reason or justification for staying the effect and operation of the impugned judgment and decree dated 03.02.2023 passed by the learned Additional District Judge-02 and Waqf Tribunal, New Delhi District, Patiala House Courts, New Delhi in suit bearing CS No.58094/2016.
5. Accordingly, CM APPL. No.39710/2023 is dismissed.
6. Re-notify on 27th March 2026.

ANUP JAIRAM BHAMBHANI, J

NOVEMBER 24, 2025/ak