



\$~223

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

+ RFA 437/2025

VED.PRAKASH MONGA & ANR.

.....Appellants

Through: Mr. Satyakam Saini and Mr. D. Rajeshwar Rao, Advocates *via* video-conferencing.

versus

SH.VINODKUMAR & ANR.

.....Respondents

Through: Ms. Shahana Farah and Mr. Abhigyan, Advocates for R2/DDA.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

%

15.05.2025

CM APPL. 29643/2025

Exemption allowed, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed-of.

CM APPL. 29644/2025 (condonation of delay in re-filing)

By way of the present application filed under section 151 of the Code of Civil Procedure 1908 ('CPC'), the appellant seeks condonation of about 55 days delay in *re-filing* the regular first appeal.

2. For the reasons stated in the application, which is duly supported by affidavit, the delay is condoned.
3. The application is allowed.

RFA 437/2025 & CM APPL. 29642/2025 (for stay)

4. By way of the present regular first appeal filed under section 96 CPC, the appellant impugns judgment and decree dated 13.12.2024 passed



by the learned District Judge, Rohini District Courts, Delhi in suit bearing No. 257/2019.

5. Issue notice.
6. Ms. Shahana Farah, learned counsel appears on behalf of respondent No.2/Delhi Development Authority on advance copy; and accepts notice.
7. Upon the appellant taking steps, let notice be sent to respondent No.1 by all permissible modes, returnable for the next date.
8. Let reply to CM APPL. No.29642/2025 be filed within 06 weeks of service; rejoinder thereto, if any, be filed within 04 weeks thereafter; with copy to the opposing counsel.
9. Let trial court record be requisitioned in electronic form; and copy of TCR be supplied to counsel on request.
10. Re-notify on 26th August 2025 before the learned Joint-Registrar for completion of service; and pleadings in CM APPL. No.29642/2025.
11. List before court thereafter.

ANUP JAIRAM BHAMBHANI, J

MAY 15, 2025
ds