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

+ **RFA 345/2024**

BALVINDER SINGHAppellant

Through: Mr. Dinesh Kumar, Advocate

versus

SUNIL KUMAR KUSHWAHA & ANR.Respondents

Through: Mr. Chandan, Advocate for R1

Mr. Abhinav Chauhan, Advocate for
R2

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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18.12.2024

[Physical Hearing/Hybrid Hearing (as per request)]

CM APPL. 30500/2024 (delay of 45 days in re-filing)

1. For the reasons mentioned therein, the application is allowed and delay in re-filing the appeal after removal of defects is condoned.

CM APPL. 30495/2024 (stay)

2. vide order dated 19.07.2024, operation of the impugned judgment and decree for recovery of money was stayed till next date subject to the appellant depositing the entire decretal amount with the registry of this court and it was made clear that if said deposit was not made within stipulated time, the interim directions would stand dissolved. Despite that, till date no money has been deposited by the appellant. The appellant has not even filed any formal application seeking enlargement of time to deposit the said amount.



3. Therefore, it is made clear that there is no stay on the operation of the impugned judgment and decree.

RFA 345/2024 & CM APPL. 30496/2024 (for adducing additional evidence)

4. List before the Registrar on the date already fixed i.e., 13.05.2025.

GIRISH KATHPALIA, J

DECEMBER 18, 2024/rk

Click here to check corrigendum, if any