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

+ **RFA 365/2024**

RAJINI JAIN Appellant

Through: Ms. Kirti Mewar, Advocate

versus

NITIN KUMAR AGGARWAL AND ORS Respondents

Through: Mr. Binod K Agrawal and Mr. Ujjwal
Agrawal, Advocates for R-2
(Through VC)

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

% **ORDER**
28.05.2024

CM APPL. 32201/2024 (Exemption from filing of certified copies)

Exemption allowed subject to just exceptions.

The application stands disposed of.

CM APPL. 32202/2024 (Exemption from filing of court fees)

Subject to the appellant filing requisite court fees within ten days,
exemption is granted for the present.

The application is disposed of.

**RFA 365/2024 & CM APPL. 32199/2024 (Stay) & CM APPL.
32200/2024 (Interim direction)**

1. The instant appeal under Section 96 of the Code of Civil Procedure,
1908 has been filed on behalf of the appellant seeking the following reliefs:



*“a) allow the present appeal and set aside the Judgment and Decree dated 25.01.2024, passed by the Ld. ADJ-07 Tis Hazari Courts, West district in CS OJ No. 13093 of 2016 titled as Mrs. Rajni Jain vs Nitin Kumar Aggarwal and Ors;
b) call for the record of case bearing no. 13093 of 2016 titled as Mrs. Rajni Jain vs Nitin Kumar Aggarwal and Ors;
c) award cost of the appeal in favour of the Appellant and against the Respondents; and
d) pass such other and further order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case, in favour of the Appellant and against the Respondents, in the interest of justice.”*

2. Heard.
3. Issue notice of the appeal and the accompanying applications. Learned counsel appearing on behalf of the respondent no. 2 accepted notice.
4. Issue notice to respondents no. 1 and 3 through all permissible modes on filing PF within one week.
5. This Court is of the considered view that the matter requires consideration. Subject to the appellant's depositing Rs. 75,00,000/- i.e. the decretal amount before the Registrar General of this Court within a period of one week, the operation of the impugned judgment and decree shall remain stayed till the next date of hearing. The amount so deposited by the appellant shall be invested in an interest bearing FDR in an auto renewal mode.
6. List on 14th August, 2024 before Court.

CHANDRA DHARI SINGH, J

MAY 28, 2024
gs/av

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