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

+ **RFA 366/2024**

M/S SPARSH BUILDERS PVT LTD Appellant

Through: Mr. Piyush Gupta, Mr. Jai Saini, Ms. Isha Kapoor, Mr. Karan Aggarwal, Mr. Himanshu Gupta and Mr. Parag Gupta, Advocates

versus

SANTOSH GUPTA & ORS. Respondents

Through: *Nemo*

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

% **28.05.2024**

CM APPL. 32211/2024 (Exemption from filing of complete LCR) & CM APPL. 32213/2024 (Exemption from filing of certified copies)

Exemption allowed subject to just exceptions.

The application stands disposed of.

RFA 366/2024 & CM APPL. 32210/2024 (Condonation of delay in filing the appeal) & CM APPL. 32212/2024 (Stay) & CM APPL. 32214/2024 (Condonation of delay in re-filing the appeal)

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

“a. summon the trial court records and set-aside the impugned



judgement & decree dated 13.10.2023 passed by the Court of Sh. Ajay Garg, Additional District Judge-01, East District, Karkardooma Courts, Delhi in the matter titled as “MRS. SANTOSH GUPTA V/S M/S SPARSH BUILDERS PVT, LTD & ANR” numbered as CS NO.447/18 as the same is based on false, frivolous, baseless facts; and
b. decide the present appeal in favour of appellant and against Respondent no.1 as present appeal seeks relief against only respondent no.1, the Respondent no.2 and Respondent no.3 are merely Proforma respondents against whom no relief has been sought; and
c. grant any other order or relief which this Hon'ble Court may deem fit and proper be pleased to pass in favour of the appellant and against the respondent in the interest and furtherance of justice.”

2. Heard.
3. Issue notice of the appeal and the accompanying applications to the respondents through all permissible modes on filing PF within one week.
4. List on 10th September, 2024 before Registrar for completion of service and pleadings.

CHANDRA DHARI SINGH, J

MAY 28, 2024
gs/av

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