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

+ RFA 513/2025

BHANOT CONSTRUCTION AND HOUSING LTDAppellant

Through: Mr. J. K. Sharma with Mr. Ashok
Kumar, Advocates.

versus

SMT. ANURADHA SRIVASTAVA

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **11.08.2025**

CM APPL.34683/2025 (exemption)

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed of.

CM APPL. 48934/2025

By way of the present application filed under section 151 of the Code of Civil Procedure 1908 ('CPC'), the appellant seeks advancement of date of hearing in the matter which is otherwise posted on 17.09.2025.

2. For the reasons stated in the application, which is duly supported by the affidavit, and the fact that the matter could not been taken up over the last few dates, the application is allowed.
3. The application is disposed-of.



4. The regular first appeal is taken up for hearing today.

CM APPL.34684/2025 (Condonation of delay in re-filing)

5. By way of the present application filed under section 151 of the Code of Civil Procedure 1908 ('CPC'), the appellant seeks condonation of about 07 days' delay in *re-filing* the regular first appeal.
6. For the reasons stated in the application, which is duly supported by affidavit, the delay is condoned.
7. The application is allowed and disposed-of.

RFA 513/2025 & CM APPL.34682/2025 (stay)

8. By way of the present regular first appeal filed under section 96 read with Order XLI Rule 1 CPC, the appellant impugns judgment and decree dated 17.01.2025 passed by the learned District Judge-01, South-East District, Saket Courts, New Delhi in suit bearing CS No.878/2023.
9. Issue notice.
10. Upon the appellant taking steps, let notice be sent to the respondents by all permissible modes, returnable for the next date.
11. Let the notice indicate that reply to CM APPL.34682/2025 be filed within 06 weeks of service; rejoinder thereto, if any, be filed within 04 weeks thereafter; with copy to the opposing counsel.
12. No reply is required in the appeal.
13. Let trial court record be requisitioned in electronic form; and copy of TCR be supplied to counsel on request.
14. Re-notify on 28th October 2025 before the learned Joint-Registrar for completion of service; and pleadings in the application.
15. List before court thereafter.



16. The date of 17.09.2025, given earlier, stands cancelled.
17. On a *prima facie* view of the matter and subject to the appellant depositing the principal decretal amount with the Registrar General of this court within 04 weeks from today, the effect and operation of the impugned judgment and decree dated 17.01.2025 shall remain *stayed*, till the next date of hearing before this court.
18. The Registrar General is directed to retain the amount deposited in the form of a fixed deposit in a nationalised bank, initially for a period of 01 year; to be renewed for the same period from time-to-time, without awaiting any further directions from this court in that behalf, unless otherwise directed by the court.
19. The Registry is directed to bring to the notice of this court any non-compliance with the directions issued above.

ANUP JAIRAM BHAMBHANI, J

AUGUST 11, 2025

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