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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CMI 16/2023 & CM APPL. 49428-49431/2023**
ANIL KUMAR GUPTA

.....Petitioner

Through: Ms. Riyanshi Varshney, Proxy
Counsel.

versus

ATUL MALHOTRA

.....Respondent

Through: None.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
06.09.2024

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1. Petitioner was defending a recovery suit and such suit has been decreed against him. The decretal amount is Rs. 22 lacs and interest.
2. The decree was passed on 17th February, 2023.
3. Such defendant has challenged the aforesaid decree by filing a Regular First Appeal.
4. However, along with such appeal, he has also moved an application under Order XLIV Rule 1 read with Section 151 CPC seeking permission to file the present appeal as an indigent person. It has been claimed that he is the only bread earner of his family and he is not financially strong and is burdened with several liabilities and, therefore, he is unable to pay the *ad-valorem* court fee for filing the present appeal. Contending that he has no sufficient means to pay the court fee, the application as aforesaid has been filed to file appeal as indigent person.

CMI 16/2023

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5. The abovesaid application may be listed before the learned Joint Registrar (Judicial) on 20th September, 2024 for consideration and in order to ensure that there is no further waste of time, let the report from the concerned SDM may also be sought and be placed before the learned Joint Registrar (Judicial) on said date.

MANOJ JAIN, J

SEPTEMBER 6, 2024/ss