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

+ RFA 518/2022

MANISH AGGARWAL

..... Appellant

Through: Mr.Vipul Gonda with Mr.Abhimanyu
Garg, Ms.Priyanka Jindal, Ms.Nirti, Advs.

versus

APARNA SINGHAL

..... Respondent

Through:

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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27.10.2022

CM APPL. 45963/2022

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

CM APPL. 45964/2022

3. This is an application seeking condonation of 14 days delay in refiling the appeal.
4. For the reasons stated in the application, the same is allowed and the delay of 14 days in refiling the appeal is condoned.
5. The application stands disposed of.

RFA 518/2022 & CM APPL. 45962/2022 -Stay.

6. The present appeal seeks to assail the judgment and decree dated 04.06.2022 passed by the learned ADJ, Tis Hazari Courts, Delhi in CS DJ No.503/2020. Vide the impugned judgment, the learned Trial Court has decreed the suit of the plaintiff/respondent for a sum of



Rs.19,13,455/- with interest @ 10% per annum by allowing the respondent's application under Order XII Rule 6 CPC.

7. Learned counsel for the appellant submits that the learned Trial Court has erred in passing the impugned judgment as it has failed to appreciate that there was no categorical and unambiguous admission on the part of the appellant for which purpose he draws my attention to the written statement filed before the learned Trial Court. He, therefore, contends that the learned Trial Court has failed to appreciate that the amount was received by the appellant from the respondent only subject to certain conditions.
8. Upon the appellant taking steps, issue notice to the respondent through all permissible modes.
9. Subject to the appellant depositing a sum of Rs.19,13,455/- with the Registrar General of this Court within six weeks from today, the operation of the impugned judgment and decree will remain stayed till the next date.
10. List on 01.05.2023.
11. Let the LCR be requisitioned and digitized before the next date.

REKHA PALLI, J

OCTOBER 27, 2022
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