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

+ RFA 518/2022

MANISH AGGARWAL

..... Appellant

Through: Mr. Abhimanyu Garg,
Advocate.

versus

APARNA SINGHAL

..... Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **05.12.2022**

C.M. No. 52613/2022 (seeking variation of order dated 27.10.2022, by Appellant)

1. This is an application preferred on behalf of the Appellant seeking variation of the order dated 27.10.2022, whereby this Court has directed to deposit a sum of Rs. 19,13,455/- with the Registrar General of this Court within six weeks, subject to which operation of the impugned judgment and decree was stayed.

2. It is averred in the application and also urged by learned counsel for the Appellant that Appellant is a Director in Prayag Polytech Pvt. Ltd. which is the only source of income for him. In the recent years, the company has undergone several administrative and financial challenges caused due to fall out of two rival factions/families of Directors as a result of which the business has been severally affected and production has been stalled in both the companies. Additionally, it is alleged that there is indiscriminate borrowing of money by one of the Directors in the company and there are several litigations including the execution petitions which are pending. In view of these facts, Appellant is unable to deposit the

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amount directed by this Court and therefore, it is prayed that the Appellant be permitted to deposit Rs. 13,00,000/-, instead of the amount directed *vide* order dated 27.10.2022.

3. Having heard the learned counsel for the Appellant and having perused the application as well as document annexed, this Court is of the view that the Appellant has made out a case for variation of the order dated 27.10.2022.

4. Accordingly, the Appellant is directed to deposit Rs. 13,00,000/- within a period of six weeks from today, subject to which operation of the impugned judgment and decree shall be stayed.

5. Order dated 27.10.2022, is modified to the aforesaid extent.

6. Application stands disposed of.

JYOTI SINGH, J

DECEMBER 05, 2022/shivam