



\$~5

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

+ **CM(M) 1144/2022**

MADAN LAL SURYAWANSHI Petitioner

Through: In person

versus

TARA DEVI (DECEASED) THR LRS Respondent

Through: None

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

% **30.01.2023**

[The proceeding has been conducted through Hybrid mode]

CM APPL. 46026/2022-EXEMP.

1. Allowed subject to all just exceptions.
2. Application stands disposed of.

CM(M) 1144/2022

3. In pursuance to the order dated 17.01.2023, the petitioner, who appears in person, submits that he has sent the order dated 17.01.2023 by speed post on 25.01.2023. He further submits that the tracking report is not uploaded on the website yet and seeks some time to file affidavit along with the tracking report showing service upon the respondents.
4. The petitioner may file his affidavit of service enclosing therewith the receipts of the speed post as well as the tracking report showing the service/delivery of order dated 17.01.2023.



5. He further submits that he had received the call from the wife of respondent no.1(a) acknowledging the receipt of order dated 17.01.2023.
6. Be that as it may, affidavit of service may be filed on record within 10 days from today.
7. The petitioner submits that he is ready and willing to pay a sum of Rs. 75,000/- before the learned Executing Court in the name of learned Executing Court as per the directions of the impugned order.
8. The petitioner is directed to deposit a sum of Rs.75,000/- before the learned Trial Court within four weeks from today subject whereof, notices may be issued to the respondent by all permissible modes. Additionally, through learned counsel appearing for the respondent before the learned Executing Court.
9. Subject to the aforesaid deposit, the learned Executing Court shall defer its proceedings stated to be listed on 07.02.2023 to a date beyond the date fixed by this Court.
10. It is made clear that upon failure of deposit, the stay shall automatically be deemed to be vacated.
11. List on 13.04.2023.

TUSHAR RAO GEDELA, J.

JANUARY 30, 2023
neelam