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

+ **RFA(COMM) 284/2024**

**MOHAMAD SALEEM**

**.....APPELLANT**

Through: Mr. Vaseem Khan and Mr. Ritam  
Agarwal, Advs

versus

**M/S TYRE JUNCTION**

**.....RESPONDENT**

Through: Mr. Ashish Aggarwal, Mr. Rahul and  
Ms. Shivangi Shokeen, Advs

**CORAM:**

**HON'BLE MS. JUSTICE REKHA PALLI**

**HON'BLE MR. JUSTICE SAURABH BANERJEE**

**ORDER**

% **24.12.2024**

**CM APPL. 76303/2024-Exp**

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

**CM APPL. 76302/2024-Stay of execution proceedings.**

3. This is an application filed by the appellant seeking stay of the execution proceedings preferred by the respondent. Learned counsel for the appellant submits that in terms of this Court's order dated 24.07.2024, the appellant was required to deposit the entire decretal amount of Rs.30,84,159/- with the Registrar General of this Court but which he was unable to do on account of financial difficulties. However, in the meanwhile, the learned District Judge, in the Execution (COMM) No. 471/2023 initiated



by the respondent, has attached a sum of Rs.13,45,558.45/- lying in the appellant's bank account.

4. Further, the appellant is willing to deposit the balance decretal amount of Rs.17,38,700/- with the Registrar General of this Court for which purpose a Demand Draft has already been prepared on 21.11.2024 and therefore, prays that subject to the said deposit, the execution proceedings be stayed.

5. Issue notice.

6. Learned counsel for the respondent accepts notice and does not deny that a sum of Rs.13,45,558.45/- lying in the appellant's bank account has been attached.

7. In the light of the aforesaid and subject to the appellant depositing the Demand Draft for a sum of Rs.17,38,700/- with the Registrar General of this Court during the course of the day, further proceedings in the execution petition will remain stayed. It is, however, made clear that the appellant will not be entitled to seek release of the attached amount of Rs.13,45,558.45/- during the pendency of the appeal.

8. The application is disposed of.

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9. List on the date already fixed i.e. 03.04.2025.

**REKHA PALLI, J**

**SAURABH BANERJEE, J**

**DECEMBER 24, 2024/Ab**