



\$~13

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **RFA(COMM) 284/2024 and CM Nos.41613/2024, 4023/2025 and 4906/2025**  
**MOHAMAD SALEEM** .....Appellant

Through: Mr Ritam Agrawal, Advocate.

Versus

**M/S TYRE JUNCTION** .....Respondent  
Through: Mr Ashish Aggarwal and Mr Himanshu Singh, Advocates.

**CORAM:**  
**HON'BLE MR. JUSTICE VIBHU BAKHRU**  
**HON'BLE MR. JUSTICE TEJAS KARIA**

**ORDER**  
**14.07.2025**

%

**CM No.4906/2025**

1. This is an application filed by the respondent directing the appellant to deposit the balance decretal amount of ₹4,90,933/- in this Court. It is pointed out that in terms of the order dated 24.07.2024, this Court had granted a stay of the impugned judgment subject to the appellant depositing the entire decretal amount with the Registry of this Court within a period of four weeks.
2. The application for stay of execution proceedings was taken up for hearing on 24.12.2024. On the said date, it was contended on behalf of the appellant that in terms of the order dated 24.07.2024, the appellant was required to deposit a sum of ₹30,84,159/-. This Court had proceeded on the basis of the said submission. It was noted that a sum of ₹13,45,558.45/-, which was lying was attached by the executing court.



3. In the circumstances, this Court directed that subject to the appellant depositing the balance amount of ₹17,38,700/-, the execution of the impugned judgment would be stayed. It now transpires that the entire decretal amount is more than ₹30,84,159/- as the said amount does not account for interest.

4. In view of the above, we clarify that subject to the appellant making up the shortfall in the amount deposited with this Court within a period of four weeks from date, there shall be a stay of the execution of the impugned judgment.

5. The application is disposed of in the aforesaid terms.

**CM No.4023/2025**

6. The respondent has filed the present application praying for release of the amount of ₹30,84,159. It is noted that the said amount also includes the amount, which has been attached by the executing court.

7. We find no objection in directing release of the aforesaid amount provided that the interests of the appellant are secured.

8. Subject to the respondent furnishing an unconditional bank guarantee to the satisfaction of the Registrar General of this Court, the amount deposited by the appellant with the Registry of this Court be released to the respondent.

9. The respondent is also at liberty to make a similar application before the executing court for recovery of the amount attached and release of the same to the respondent.

10. The application is disposed of in the aforesaid terms.



**RFA(COMM) 284/2024 and CM Nos.41613/2024**

11. The learned counsel for the appellant requests for an adjournment.
12. At his request, list on 20.11.2025.

**VIBHU BAKHRU, J**

**TEJAS KARIA, J**

**JULY 14, 2025**  
**RK**