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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RFA(COMM) 95/2022**

RAJEEV SETHI & ANR. APPELLANT

Through: Mr. S.S. Hooda, Advocate

versus

MEENU AGARWAL RESPONDENT

Through: Mr. Rajesh Ranjan,
Advocate

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **10.04.2023**

CM APPL. 12840/2023 (for condonation of delay)

1. This application seeks condonation of delay in filing the present appeal.
2. The appeal is against the decree dated 13.01.2021. The period of limitation till 29.05.2022 was extended by the orders passed by the Supreme Court in ***Suo Motu Writ Petition(C)No. 3 of 2020 in Re: Cognizance for extension of limitation.***
3. The appellant states that he was pursuing its Review Petition which was dismissed on 26.09.2022.
4. According to learned counsel for the appellant, the delay, thereafter, is of 59 days. It is stated that the appellant is a senior citizen and had been suffering from various ailments.
5. In view of the mitigating circumstances, we consider it apposite to allow the present application subject to the appellant making payment of the cost of ₹10,000/- to the respondent within a period of one week from today.



6. The delay stands condoned.

RFA(COMM) 95/2022 & CM APPL. 51075/2022 (for stay)

7. Issue notice.

8. Learned counsel for the respondent accepts notice.

9. Subject to the appellant depositing the decretal amount sum of ₹7,69,300/- with the Registry of this Court within a period of four weeks from today, the enforcement of the impugned decree shall remain stayed.

10. List on 28.07.2023.

VIBHU BAKHRU, J

AMIT MAHAJAN, J

APRIL 10, 2023

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