



\$~A-7

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

+ RFA 971/2019, CM Nos. 29221/2020, 49245/2019

KUNWAR PAL SHASHTRI

..... Appellant

Through Mr. V.K. Goel, Advocate.

versus

ROHTASH & ANR.

..... Respondents

Through Mr. Ajay Kumar Thakur, Advocate.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **04.01.2021**

Hearing has been conducted through Video Conferencing.

CM No. 06/2021

This is an application filed by the Appellant seeking extension of time to deposit the amount directed by the Court vide order dated 15.11.2019. The said order is as under:-

“The suit for recovery of Rs.8,00,000/- has been decreed in favour of the respondent along with interest and against the appellant herein vide the judgment dated 25.07.2019.

It is the case of the appellant that the respondent was running a Committee and the appellant as also his father-in-law were its members and the accounts of the said committee were settled between the parties on 28.03.2013 and further except for the said amount, no other amount was due, per note dated 18.01.2013 as no other money transaction ever took place between the respondent and the appellant herein.



It is the submission of the appellant the receipt dated 20.03.2013 was issued by the respondent no. 1 herein stating interalia apart from the committee there is nothing to be taken or given and the account of the said committee was thus settled on payment of Rs.2,00,000/-received by respondent upto 20.03.2013. The respondent has deposited the amount of Committee have been cleared by the appellant herein.

Nevertheless the learned Trial Court was of the view the transaction viz. pronote dated 18.01.2013 exhibited as Ex.PW1/1 does not relate to the transaction of the committees and hence passed a decree against the appellant herein.

Subject to the appellant's depositing 1/3rd of decretal amount with the Registrar General of this Court within six weeks from today, operation of the impugned judgment and decree shall remain stayed during pendency of the appeal and in the meanwhile issue notice to the respondent through all modes returnable on 16.03.2020. The amount so deposited be kept in an interest bearing FDR, initially for a period of one year with an automatic renewal clause.

Order dasti."

Mr. V.K. Goel learned counsel for the Appellant submits that due to financial crises suffered by the Appellant on account of Pandemic Covid-19, he was unable to comply with the order of the Court and seeks a further period of four weeks to comply with the order.

Issue notice.

Mr. Ajay Kumar Thakur accepts notice on behalf of Respondents.

For the reason stated in the application the same is allowed. Period of four weeks is granted to the Appellant to deposit the amount in terms of order dated 15.11.2019.



It is made clear that no further time will be granted to the Appellant to comply with the order and it would be thereafter open to the Respondents to take appropriate steps for execution of the decree.

JANUARY 04, 2021/yo

JYOTI SINGH, J