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

+ **RFA(COMM) 307/2024**

**CHIRAG GUPTA PROPRIETOR OF KENT INDUSTRIES
THROUGH ATTORNEY SH. RAJ KUMAR SHARMA**

.....Appellant

Through: Mr. Divyansh Tyagi, Adv.

versus

**THE RED FOX CABLES AND ENTERPRISES THROUGH
ITS PROPRIETOR SH. MEHUL MAMGAIN**

.....Respondent

Through: Ms. Payal Bahl, Mr. Abhijit
Mishra, Mr. Himanshu Tomar,
Mr. Vikhyat Gupta, Mr.
Prashant Jaiswal and Mr. Ram
Parvesh, Advs.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **25.03.2026**

CM APPL. 44070/2024(for condonation of delay)

1. By way of the present application filed under Section 5 of the Limitation Act, 1963, the Applicant/Appellant seeks condonation of delay of 75 days in filing the present Appeal on the ground that the counsel had undergone treatment for a heart ailment.
2. Hence, the delay in filing the Appeal is condoned.
3. The application stands disposed of.

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4. This is the Plaintiff's First Appeal against the dismissal of his counter-claim.



5. The matter requires detailed consideration.
6. *Admit.*
7. Learned counsel representing the Respondent submits that the suit filed by the Respondent has been pending before the Court of First Instance for the last one and a half years, and that the pendency of the present Appeal should not be construed as a stay of proceedings in the said suit.
8. Keeping in view the facts of the case, it is clarified that the pendency of the present Appeal shall not, in any manner, hamper the progress of the suit filed by the Respondent.

ANIL KSHETARPAL, J.

AMIT MAHAJAN, J.

MARCH 25, 2026/sp/shah