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

+ RFA 573/2024

SUNNY SHARMA AND ANR

.....Appellants

Through: Mr. Girish Kumar Sharma, Advocate
with A-2 in-person.

versus

RADHA BALLABH AGARWAL AND ANR

.....Respondents

Through: Mr. H.S. Kohli and Mr. Mannat
Kohli, Advocates.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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27.10.2025

CM APPL. 66456/2025 (exemption)

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed of.

CM. APPL.50703/2024

By way of the present application filed under section 151 of the Code of Civil Procedure 1908 ('CPC') read with Delhi High Court Act, 1966 and Rules framed thereunder, the appellants seek condonation of about 20 days' delay in *re-filing* the regular first appeal.

2. For the reasons stated in the application, which is duly supported by affidavit, the delay in *re-filing* is condoned.



3. The application is allowed and disposed-of.

CM. APPL.50702/2024

4. By way of the present application filed under section 5 of the Limitation Act 1963, the appellants seek condonation of about 31 days' delay in *filing* the regular first appeal.

5. For the reasons stated in the application, which is duly supported by affidavit, the delay in *filing* is condoned.

6. The application is allowed.

7. The appeal is taken on Board.

CM APPL. 66455/2025

8. By way of the present application filed under section 151 read with other enabling provisions of CPC, the appellants seek stay of fresh warrants of attachment issued *vide* order dated 24.09.2025 made in execution petition bearing No. 7 EX CIVIL 131/24.

9. Another application bearing CM APPL. No.50701/2024 seeking stay of the impugned judgment and decree dated 27.02.2024 passed by the learned ADJ-03, South West District Courts, Dwarka District Courts, New Delhi is already pending.

10. In the circumstances, the present application is disposed-of and CM APPL. No. 50701/2024 is being taken up.

CM APPL. 50701/2024 (stay)

11. Notice on this application was issued on 16.12.2024.

12. Let reply to the application be filed within 06 weeks of service; rejoinder thereto, if any, be filed within 04 weeks thereafter; with copy to the opposing counsel.



13. Re-notify on 18th December 2025 before the learned Joint-Registrar for completion of pleadings in this application.
14. List before court on 23.01.2026, the date already fixed.
15. In the meantime, *subject to* the appellant depositing the entire decretal amount alongwith upto-date interest with the Registrar General of this court within 04 weeks from today, the effect and operation of the impugned judgment and decree dated 27.02.2024 shall remain *stayed*, till the next date of hearing before this court.
16. The Registrar General is directed to retain the amount deposited in the form of a fixed deposit in a nationalised bank, initially for a period of 01 year; to be renewed for the same period from time-to-time, without awaiting any further directions from this court in that behalf, unless otherwise directed by the court.
17. The Registry is directed to bring to the notice of this court any non-compliance with the directions issued above.
18. A copy of this order be given *dasti* under signatures of the Court Master.

ANUP JAIRAM BHAMBHANI, J

OCTOBER 27, 2025/ak