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

+ **RFA 67/2024 & CM APPL. 4922/2024 & CM APL. 4924/2024**

SMT SUSHMA SHARMA Appellant

Through: Appearance not given (Through VC)

versus

SMT NISHA SAXENA Respondent

Through: *Nemo*

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

% **25.01.2024**

CM APPL. 4923/2024 (Exemption)

Subject to the appellant filing the clear, original and legible/typed copies of any dim documents on which the appellant may seek to place reliance, within four weeks from today, exemption is granted for the present.

The application is disposed of.

RFA 67/2024 & CM APPL. 4925/2024 (Condonation of delay in filing) & CM APPL. 4926/2024 (Condonation of delay in re-filing)

1. The instant appeal under Section 96 of the Code of Civil Procedure, 1908 has been filed on behalf of the appellant seeking the following reliefs:

“a). order for summoning of the trial court record in respect of the judgment and decree dated 01.08.2023 passed by the court of Sh. Rajinder Kumar, Ld. Adj-02, North West, Rohini Court, Delhi in no. 76471/2016 titled As Smt. Sushma Shanna Vs. Smt. Nisha Saxena



- b). allow the present appeal with cost throughout;*
c). set aside/quash the impugned judgment and decree dated 01.08.2023 passed by the court of Sh. Rajinder Kumar, Ld. ADJ-02, North West, Rohini Court, Delhi in CS No. 76471/2016 titled as Smt. Sushma Sharma Vs. Smt. Nisha Saxena and decree the suit of the Appellant as prayed for in the plaint in its entirety, in the interest of justice.
d) Pass any other or further order/s or relief/s, which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case in favour of the appellant and against the respondent. ”

2. Heard.

3. Issue notice of the instant appeal, CM APPL. 4925/2024 and CM APPL. 4926/2024 to respondent through all permissible modes on filing PF within one week.

4. List on 13th May, 2024 before Registrar for completion of service and pleadings.

CHANDRA DHARI SINGH, J

JANUARY 25, 2024
gs/ds

[Click here to check corrigendum, if any](#)