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

+ **RFA 618/2024**

M/S FEBO ENGINEERING PVT. LTD.

.....Appellant

Through: Mr. Rohit Madan with Ms. Yamini
Singh and Mr. Utkarsh Kumar,
Advocates.

versus

M/S TESLEK ELECTRICAL CONTRACTS PVT. LTD.

.....Respondent

Through: Mr. Abhishek Chaturvedi, Advocate
via video-conferencing.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **18.08.2025**

CM APPL. 53969/2024

By way of the present application filed under section 151 of the Code of Civil Procedure 1908 ('CPC'), the appellant seeks condonation of about 113 days' delay in *re-filing* the regular first appeal.

2. No reply has been filed to this application despite notice having been issued *vide* order dated 13.09.2024.
3. In view of the above, and for the reasons stated in the application, which is duly supported by affidavit, the delay is condoned.
4. The application is allowed and disposed-of.

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5. By way of the present regular first appeal filed under section 96 read with Order XLI Rule 1 CPC, the appellant impugns judgment and decree dated 18.01.2024 passed by the learned Additional District



Judge-01, South-East District, Saket Courts, Delhi in suit bearing CS No. 9452/2016 (Old case of year 2016).

6. Issue notice.
7. Mr. Abhishek Chaturvedi, learned counsel appears on behalf of the respondent on advance copy; and accepts notice.
8. **Admit.**
9. No reply is required in the appeal.
10. Let the appeal be placed on the Regular Board, to be taken-up in due course, at its turn.

CM APPL. 53967/2024 (stay)

11. The appellant seeks stay of judgment and decree dated 18.01.2024.
12. Issue notice.
13. Mr. Abhishek Chaturvedi, learned counsel appears on behalf of the respondent on advance copy; accepts notice; and seeks time to file reply.
14. Let reply to the application be filed within 06 weeks; rejoinder thereto, if any, be filed within 04 weeks thereafter; with copy to the opposing counsel.
15. Re-notify on 10th November 2025 before the learned Joint-Registrar for completion of pleadings in this application.
16. List before court thereafter.
17. In the meantime, *subject to* the appellant depositing the principal decretal amount with the Registrar General of this court within 08 weeks from today, the effect and operation of the impugned judgment and decree dated 18.01.2024 shall remain *stayed*, till the next date of hearing before this court.



18. 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.
19. The Registry is directed to bring to the notice of this court any non-compliance with the directions issued above.

ANUP JAIRAM BHAMBHANI, J

AUGUST 18, 2025
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