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

+ RFA 836/2025, CM APPL. 7424/2023, CM APPL. 7427/2023

SANDEEP KUMAR MAGO

.....Appellant

Through: Mr. Gobind Malhotra, Mr Rehan
Saifi, Mr. Gurpreet Singh and Ms.
Namrata Malhotra, Advocates.

versus

NARINDER NIJHAWAN

.....Respondent

Through: Mr. Aman Ahmad, Advocate.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **16.10.2025**

CM APPL. 7427/2023 (condonation of 19 days' delay in filing)

By way of the present application filed under section 5 of the Limitation Act 1963, the appellant seeks condonation of about 19 days' delay in *filing* the regular first appeal.

2. Notice on this application was issued on 15.02.2023.
3. No reply has been filed to the application.
4. For the reasons stated in the application, which is duly supported by affidavit, the delay is condoned.
5. The application is allowed.
6. The appeal is taken on Board.
7. Application stands disposed-of.

RFA 836/2025 & CM APPL. 7424/2023 (stay)

8. By way of the present regular first appeal filed under section 96 read with Order XLI of the Code of Civil Procedure 1908, the appellant



impugns judgment and decree dated 21.09.2022 passed by the learned Additional District Judge-08, Central District, Tis Hazari Courts, Delhi, in suit bearing CS DJ No.618/2020.

9. For the record, the appellant has been held to be an indigent person *vide* order dated 22.07.2025 made by the learned Joint-Registrar.
10. Issue notice.
11. Mr. Aman Ahmad, learned counsel appearing on behalf of the respondent accepts notice; and submits that the stand taken by the appellant that he is an indigent person is false.
12. Mr. Ahmad seeks time to file a reply to the stay application.
13. Let reply to CM APPL. No. 7424/2023 be filed within 06 weeks; rejoinder thereto, if any, be filed within 04 weeks thereafter; with copy to the opposing counsel.
14. No reply is required in the appeal.
15. Re-notify on 07th January 2026 before the learned Joint-Registrar for completion of pleadings in CM APPL.No.7424/2023.
16. List before court thereafter.
17. In view of order dated 22.07.2025 referred-to above, it is directed that the impugned decree shall *not* be executed against the appellant, till the next date of hearing before this court.

ANUP JAIRAM BHAMBHANI, J

OCTOBER 16, 2025/ss