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

+ RSA 140/2025

M/S EXCELSIOR CRAFTSAppellant

Through: Mr. Amit Nahata, Advocate.

versus

M/S JAI MATA DI ENTERPRISESRespondent

Through:

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **09.10.2025**

CM APPL. 57444/2025 (exemption)

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed of.

CM APPL. 57445/2025 (condonation of delay in re-filing)

By way of the present application filed under section 151 of the Code of Civil Procedure 1908 ('CPC'), the appellant seeks condonation of about 39 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.



RSA 140/2025

CM APPL. 57525/2025 (for stay)

4. By way of the present regular second appeal filed under section 100 CPC, the appellant impugns judgment and decree dated 28.03.2025 passed by the learned District Judge - 04, South-West District, Dwarka Courts, New Delhi in appeal bearing RCA Civil DJ ADJ No.07/2024.
5. In view of the proposed questions of law as set-out in the memo of appeal, issue notice.
6. Upon the appellant taking steps, let notice be sent to the respondent by all permissible modes, returnable for the next date.
7. Let the notice indicate that reply to CM APPL. No.57525/2025 be filed within 06 weeks of service; rejoinder thereto, if any, be filed within 04 weeks thereafter; with copy to the opposing counsel.
8. No reply is required in the appeal.
9. Let trial court record be requisitioned in electronic form; and copy of TCR be supplied to counsel on request.
10. Re-notify on 22nd December 2025 before the learned Joint-Registrar for completion of service; and completion of pleadings in CM APPL. No.57525/2025.
11. List before court thereafter.

ANUP JAIRAM BHAMBHANI, J

OCTOBER 9, 2025/ak