



\$~102

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

+ **FAO 319/2024**

SUNDARI SHARMAAppellant

Through: Mr. K.K. Sharma, Advocate.

versus

POONAM SHARMARespondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **03.10.2024**

CM APPL. 58220/2024 (exemption)

Exemption allowed subject to all just exceptions.

FAO 319/2024 & CM APPL. 58221/2024 (stay), CM APPL.58222/2024 (for condonation of delay)

1. Appellant is aggrieved by the order whereby her application under Order IX Rule 13 CPC has been dismissed.
2. Issue notice to respondent through all permissible modes including dasti, returnable on 28th March, 2025.
3. Let the digitized copy of the Trial Court record including service report/summons be requisitioned.
4. However, keeping in mind the overall facts and circumstances of the case and the fact that the appellant herein had sold the same property to someone else and there is nothing in writing which may indicate that she had returned the money to the respondent herein, this Court is not inclined to grant any stay in the execution.

MANOJ JAIN, J

OCTOBER 3, 2024/st