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

+ **RFA 691/2024**

SHRI RAJ KUMAR SHARMA

.....Appellant

Through: Mr. Hirein Sharma and Mr. Saurabh
Goel, Advocates

versus

SMT NEELAM GIRDHAR

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

O R D E R

07.10.2024

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[Physical Hearing/Hybrid Hearing (as per request)]

CM APPL. 58997/2024 (exemption)

1. Allowed, subject to all just exceptions.

CM APPL. 58996/2024 (stay)

2. The appellant has assailed judgment and decree whereby money recovery suit was decided in favour of the respondents. According to admitted case of both sides, a sum of Rs. 41,00,000/- out of total amount of Rs. 50,00,000/- was received by the respondent and in that regard, endorsement on the reverse side of the agreement to sell was carried out. But as regards the balance amount of Rs. 9,00,000/-, for which the impugned decree has been passed, admittedly, no such endorsement was made.

3. Learned counsel for appellant on instructions of his client present in court undertakes to deposit the amount of Rs. 9,00,000/- with the Registry of this court within four weeks by way of auto renewable fixed deposit in the



name of the Registrar General. Subject to the appellant depositing the said amount within four weeks, operation of the impugned judgment and order shall remain stayed till next date of hearing.

RFA 691/2024

4. Subject to the appellant taking steps within one week, notice be issued to respondent through all modes returnable on 12.02.2025 before Registrar.

GIRISH KATHPALIA, J

OCTOBER 7, 2024/rk

Click here to check corrigendum, if any