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

+ RFA 879/2025

NEERAJ GAMBHIR

.....Appellant

Through: Mr. Vikram Seth, Mr. Yuvraj Seth
and Mr. Ajay Sharma, Advocates.

versus

SHASHI BALA GAMBHIR & ANR.

.....Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **17.09.2025**

CM APPL. 59051/2025 (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 60 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.

CM APPL. 59050/2025 (condonation of delay in filing)

4. By way of the present application filed under section 5 of the Limitation Act 1963 read with section 151 CPC, the appellant seeks condonation of about 03/05 days' delay in *filing* the regular first appeal.
5. For the reasons stated in the application, which is duly supported by affidavit, the delay is condoned.



6. The application is allowed.
7. The appeal is taken on Board.

RFA 879/2025 & CM APPL. 59052/2025 (stay)

8. By way of the present regular first appeal filed under section 96 CPC, the appellant impugns judgment and decree dated 15.02.2025 passed by the learned District Judge - 11, Central District, Tis Hazari Courts, Delhi in suit bearing CS DJ No.367/2019.
9. Issue notice.
10. Upon the appellant taking steps, let notice be sent to the respondents by all permissible modes, returnable for the next date.
11. Let the notice indicate that reply to CM APPL. No. 59052/2025 be filed within 06 weeks of service; rejoinder thereto, if any, be filed within 04 weeks thereafter; with copy to the opposing counsel.
12. No reply is required in the appeal.
13. Let trial court record be requisitioned in electronic form; and copy of TCR be supplied to counsel on request.
14. Re-notify on 02nd December 2025 before the learned Joint-Registrar for completion of service; and for completion of pleadings in CM APPL. No. 59052/2025.
15. List before court thereafter.

ANUP JAIRAM BHAMBHANI, J

SEPTEMBER 17, 2025

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