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

CNR No. DLHC010729902024

+ **RFA(COMM) 453/2024**

KRISHAN ARORA AND ANR.Appellants

Through: **Ms. Arti Bansal, Adv.**

versus

**SHRI MAHAVIR PRASAD GOENKA (PROPRIETOR OF
M/S GOENKA BROTHERS)Respondent**

Through: **Mr. Bhupesh Saini, Adv.**

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MS. JUSTICE SHAIL JAIN

ORDER

% **13.08.2026**

**CM APPL. 20370/2026[For stay of judgment and decree dt.
04.06.2024]**

1. By way of the present application, the Appellant seeks stay of the judgment and decree dated 04.06.2024 passed by the learned District Judge (Commercial Court) - 02, North-West/Rohini Courts, New Delhi.
2. The Appeal filed by the Appellant against the judgment passed by the Commercial Court has been admitted.
3. The Appellant is stated to have deposited the principal amount, i.e., Rs.20,61,460/- with the Registry of this Court.
4. Learned counsel representing the Respondent claims that as of now, the decretal amount comes to Rs.50,00,000/- (Approx.).
5. A perusal of the judgment dated 04.06.2024 passed by the learned District Judge (Commercial Court) reflects that the suit of the Plaintiff was decreed in the sum of Rs.20,61,460/- along with interest



@ 12% p.a. w.e.f. 31.03.2014 till realization thereof. In other words, the Appellant has only deposited the principal amount.

6. Keeping in view the aforesaid position, further execution of the decree shall remain stayed, however, the Registry is directed to remit the amount of Rs.20,61,460/- to the Executing Court for its disbursal to the Respondent, subject to furnishing unencumbered immovable property as security along with an undertaking that in the eventuality the Appeal is allowed, the Respondent will pay the amount along with the same rate of interest as awarded by the Commercial Court.

7. With these observations, the present application is disposed of.

CM APPL. 53687/2026*[For additional docs]*

8. To be heard with the main case.

ANIL KSHETARPAL, J.

SHAIL JAIN, J.

AUGUST 13, 2026

s.godara/ad