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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RFA 773/2024, CM APPL. 65712/2024 and CM APPL. 65711/2024**

PAWAN KUMAR

.....Appellant

Through: Mr. Madhu Sudan Bhayana,
Advocate.

versus

RAJNISH

.....Respondent

Through: None.

CORAM:
HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER
11.11.2024

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

CM APPL. 65709/2024 (exemption)

1. Allowed, subject to all just exceptions.

CM APPL. 65710/2024 (for condonation of delay in filing CM APPL. 1933 days)

2. The appellant has assailed money decree which was passed under Order XXXVII CPC. The delay of 1933 days is sought to be explained on the ground that the appellant and his wife are physically challenged and were suffering with serious illness. But the supporting documents are certain duplicate copies of prescriptions and that too pertaining to the year 2011 or 2024 whereas the impugned order is of the year 2019. Learned counsel for appellant seeks and is allowed four weeks to file additional medical



documents in support of this plea.

3. Further, learned counsel for appellant also tried to argue that the suit itself was time barred because the loan was allegedly given in the year 2012 and the repayment cheques were admittedly of the year 2016. But this submission does not appear to be in consonance with record. PDF page 59 is the part of loan agreement according to which the said post dated cheques of 2016 were given to the plaintiff in the year 2012 itself.

4. Relist for disposal of delay condonation application on 05.02.2025. It is made clear that there is no stay on operation of the impugned judgment and decree.

GIRISH KATHPALIA, J

NOVEMBER 11, 2024/ry

[Click here to check corrigendum, if any](#)