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

+ RFA 854/2024

SMT.PREETI GUPTA

.....Appellant

Through: Ms. Aditi Gupta, Advocate  
(DHCLSC) alongwith appellant.

versus

SMT. SUNITA SHARMA

.....Respondent

Through:

**CORAM:**

**HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI**

**ORDER**

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**08.05.2025**

**CM APPL. 7204/2025 (condonation of 1730 days' delay in filing appeal)**

**CM APPL. 71484/2024 (for bringing on record additional documents)**

Issue notice.

2. Upon the appellant taking steps, let notice be sent to the respondent by all permissible modes, including through counsel appearing before the learned Executing Court, returnable for the next date.
3. Let the notice indicate that replies to the applications be filed within 06 weeks of service; rejoinder(s) thereto, if any, be filed within 04 weeks thereafter; with copy to the opposing counsel.
4. Re-notify on 19<sup>th</sup> August 2025 before the learned Joint-Registrar for completion of pleadings in these applications.
5. List before court thereafter.



**RFA 854/2024**

6. By way of the present regular first appeal filed under section 96 read with XLI Rule 1 of the Code of Civil Procedure, 1908, the appellant impugns judgment dated 19.09.2019 and decree dated 22.11.2019 passed by the learned Additional District Judge-01, North-East District, Karkardooma Courts, Delhi in suit bearing CS No.519/16.
7. Issue notice.
8. Upon the appellant taking steps, let notice be sent to the respondent by all permissible modes, including through the counsel appearing before the learned Executing Court, returnable for the next date.
9. Let Trial Court Record be requisitioned in electronic form; and copy of TCR be supplied to counsel on request.
10. It is made clear that the appeal will be considered subject to decision on the condonation of delay application.
11. Re-notify on 19<sup>th</sup> August 2025 before the learned Joint-Registrar for completion of service.
12. List before court thereafter.

**CM APPL. 71483/2024 (stay)**

13. The appellant seeks stay of judgment dated 19.09.2019 and decree dated 22.11.2019.
14. Ms. Aditi Gupta, learned legal-aid counsel appearing for the appellant has explained the circumstances in which the appellant, who is a widow with 03 children, is making a living.
15. Ms. Gupta submits that the appellant was served in the suit but was unable to defend it effectively in view of her husband having passed away during the pendency of the suit.



16. Ms. Gupta explains that that is also the reason for the delay in preferring the present appeal.
17. Issue notice.
18. Upon the appellant taking steps, let notice be sent to the respondent by all permissible modes, including through the counsel appearing before the learned Executing Court, returnable for the next date.
19. Let the notice indicate that reply to the application be filed within 06 weeks of service; rejoinder thereto, if any, be filed within 04 weeks thereafter; with copy to the opposing counsel.
20. On a *prima-facie* view of the matter, and considering the humanitarian aspects as explained by learned counsel for the appellant, the operation of the impugned judgment dated 19.09.2019 and decree dated 22.11.2019 shall remain *stayed*, till the next date of hearing.
21. It is clarified that the court has *not* directed the appellant to deposit the decretal amount *at this stage*.
22. Re-notify on 19<sup>th</sup> August 2025 before the learned Joint-Registrar for completion of pleadings in this application.
23. List before court thereafter.

**ANUP JAIRAM BHAMBHANI, J**

**MAY 8, 2025/ak**