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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO 332/2025**
SUNIL SHAH

.....Appellant
Through: Mr. Sachin Sharma, Advocate

versus

DEVENDER KUMAR ALLEN

.....Respondent
Through: None.

CORAM:
HON'BLE MS. JUSTICE CHANDRASEKHARAN SUDHA

% **ORDER**
28.11.2025

CM APPL 74801/2025 (Exemption)

Allowed, subject to all just exceptions.

The application stands disposed of.

CM APPL 74800/2025 (delay in filing) 74802/2025 (delay in re-filing)

1. The present applications have been filed under Section 151 of the Civil Procedure Code, 1908, (the CPC) seeking condonation of delay of 96 days in filing the appeal and delay of 40 days in re-filing the appeal.



2. For the reasons stated in the application, the same are allowed and the delay of 96 days in filing the appeal and the delay of 40 days in re-filing the appeal are condoned.

3. The applications are disposed of.

FAO 332/2025 & CM APPL. 74799/2025 (Stay)

1. The present appeal has been filed under Order XLIII Rule 1(d) read with Section 104 of the CPC against the order dated 01.05.2025 passed by the learned District Judge-10, in Misc.DJ 347/2024, whereby the application under Order IX Rule 13 of the CPC has been dismissed.

2. On the appellant taking steps, notice be issued to the respondent by all permissible modes, returnable on 25.03.2026.

CHANDRASEKHARAN SUDHA, J

NOVEMBER 28, 2025

p'ma