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

+ **RFA 50/2025**

RAHIT MAKHIJA

.....Appellant

Through: Ms. Pallavi, Advocate

versus

SUNIL JAIN

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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20.01.2025

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

CM APPL. 3253/2025 (exemption)

1. Allowed, subject to all just exceptions.

CM APPL. 3254/2025 (for summoning of Trial Court Record)

2. Digitized record of the trial court be requisitioned atleast one week before the next date of hearing. The application stands disposed of.

CM APPL. 3255/2025 (delay of 01 day in filing) & CM APPL.3256/2025 (delay of 60 days in re-filing)

3. For the reasons mentioned therein, these applications are allowed and delay in filing as well as re-filing the appeal is condoned.

RFA 50/2025 & CM APPL. 3252/2025 (stay)

4. The appellant has assailed judgment and decree of recovery of money. Learned counsel for appellant seeks protection from execution, assuring to deposit the complete decretal amount with upto date interest in two equal instalments with registry of this court within two weeks.



5. Subject to the appellant depositing 50% of the complete decretal amount within two weeks and the balance within next two weeks, operation of the impugned judgment and decree shall remain stayed till next date of hearing. However, it is made clear that if the said amount is not deposited within the said period, there shall be no protection and the respondent shall be at liberty to seek execution of the impugned decree.

6. Subject to the appellant taking steps within one week, notice be issued to respondent through all modes returnable on 28.05.2025 before Registrar.

GIRISH KATHPALIA, J

JANUARY 20, 2025/rk

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