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

+ RFA 1154/2025

BA ALLOYS PVT LTD NOW KNOWN AS BRIJBIHARI
CONCAST LTD.

.....Appellant

Through: Mr. Nilesch Deep, Mr. Akash
Chatterjee, Ms. Nistha Wadhwa,
and Mr. Pranav Gupta, Advocates

versus

M/S KUBER ALLOYS

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **18.12.2025**

CM APPL. 80217/2025

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed-of.

RFA 1154/2025 & CM APPL. 80216/2025 (stay)

By way of the present regular first appeal filed under Order XLI read with section 96 of the Code of Civil Procedure 1908, the appellant impugns judgment and decree dated 19.09.2025 passed by the learned District Judge-04, Shahdara District, Karkardooma Courts, Delhi, in suit bearing CS No.1953/2016.

2. Issue notice.
3. Upon the appellant taking steps, let notice be sent to the respondent by all permissible modes, returnable for the next date.



4. Let the notice indicate that reply to CM APPL.80216/2025 be filed within 06 weeks of service; rejoinder thereto, if any, be filed within 04 weeks thereafter; with copy to the opposing counsel.
5. No reply is required in the appeal.
6. Let trial court record be requisitioned in electronic form; and copy of TCR be supplied to counsel on request.
7. Re-notify on 02nd April 2026 before the learned Joint-Registrar for completion of service; and for completion of pleadings in CM APPL. No.80216/2025.
8. List before court thereafter.
9. In the meantime, *subject to* the appellant depositing the entire decretal amount alongwith upto-date interest with the Registrar General of this court within 04 weeks from today, the effect and operation of the impugned judgment and decree shall remain *stayed*, till the next date of hearing before this court.
10. The Registrar General is directed to retain the amount deposited in the form of a fixed deposit in a nationalised bank, initially for a period of 01 year; to be renewed for the same period from time-to-time, without awaiting any further directions from this court in that behalf, unless otherwise directed by the court.
11. The Registry is directed to bring to the notice of this court any non-compliance with the directions issued above.

ANUP JAIRAM BHAMBHANI, J

DECEMBER 18, 2025

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