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

+ **RFA(OS) 1/2026**

VIPIN WADHWA

.....Appellant

Through: **Mr. Rajesh Yadav, Sr. Adv.
with Mr. Neeraj Yadav, Adv.**

versus

PRASHANT ENTERPRISES AND ORS **.....Respondents**

Through: **Mr. Rakesh Mishra, Ms. Anita
R. Mishra, Ms. Divyam, Ms.
Ananya Yadav, Ms. Harsimran
Kaur, Mr. Tusar Saini, Mr.
Aditya Tiwari, Mr. Gracy Singh
& Ms. Chetna, Advs. for R-5 &
6.**

**Mr. Prabhsahay Kaur, Standing
Counsel with Mr. Aditya
Verma and Mr. Birender Singh,
Advs. for DDA/R-7.**

**Mr. Darpan Wadhwa, Sr.
Advocate with Mr. Sulabh
Rewari, Ms. Mansa Shukla, Mr.
Amer Vaid and Ms. Anwesha
Singh, Advs. for R-8.**

CORAM:

HON'BLE MR. JUSTICE VIVEK CHAUDHARY

HON'BLE MS. JUSTICE RENU BHATNAGAR

ORDER

21.01.2026

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CM APPL. 70/2026

1. This is an application filed by the Appellant under Section 5 of the Limitation Act, 1963, seeking condonation of delay of 100 days in filing the present appeal.



2. Having heard learned counsel for the appellant, sufficient cause has been shown for condoning the delay, the present application is allowed and the delay is condoned.

3. Accordingly, the present application stands disposed of.

CM APPL. 71/2026

4. This is an application filed by the Appellant under Section 151 of the Code of Civil Procedure, 1908, (hereinafter referred to as “CPC”) seeking condonation of delay of 24 days in re-filing the present appeal.

5. Having heard learned counsel for the appellant, sufficient cause has been shown for condoning the delay, the present application is allowed and the delay is condoned.

6. Accordingly, the present application stands disposed of.

RFA(OS) 1/2026

7. The present appeal has been filed under Section 96 of the CPC’ read with Order XLI Rule 1 of the CPC and Section 10 of the Delhi High Court Act, 1996, for setting aside the Judgment dated 02.07.2025 passed by the learned Single Judge in CS (OS) No. 244 of 2021 titled as “**Sh. Vipin Wadhwa v. M/s Prashant Enterprises & Ors.**”, whereby the suit filed by the Appellant was dismissed by the learned Single Judge while allowing the application filed by the Respondent No. 8 under Order VII Rule 11 of the CPC.

8. Admit.

9. Let the Case File of the Original Suit from the learned Single Judge be requisitioned in a digital format.

10. List the present appeal in the category of ‘*Regular Matters*’ to



come as per its turn.

CM APPL. 69/2026 (Stay)

11. The present application has been filed by the appellant seeking stay of the operation of the impugned Judgment and Decree dated 02.07.2025 passed by the Learned Single Judge in CS (OS) No. 244 of 2021 titled as "***Sh. Vipin Wadhwa v. M/s Prashant Enterprises & Ors***".

12. Notice.

13. Since the respondents are duly represented by the learned counsel, let a reply be filed to the present application.

14. Till the next date of hearing, proceedings in the counter claim filed by the respondents shall remain stayed.

15. List on 19.03.2026.

VIVEK CHAUDHARY, J

RENU BHATNAGAR, J

JANUARY 21, 2026 */neha/sm*