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

+ RFA 194/2026, CM APPL. 13279/2026

MRS. YOTSANA ATRI

.....Appellant

Through: Mr. Sanjeev Kumar Dubey, Sr.
Advocate with Mr. Raj Mangal,
Ms. Tanya Verma, Mr. Shah Rukh
Khan, Advocates

versus

SH PREM SINGH & ANR.

.....Respondents

Through: Mr. ___ Counsel for R-2 (*Appearance
not given*)

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **26.02.2026**

CM APPL. 13280/2026

1. Allowed, subject to all just exceptions.
2. The Application stands disposed of.

CM APPL. 13281/2026

3. Application under Section 151 CPC read with Section 5 of the Limitation Act has been filed seeking condonation of delay of 116 days in re-filing the present Appeal.
4. It is submitted that the Appeal against the judgment dated 17.09.2025 was filed within the limitation. However, took some time to remove the objections on account of which the delay of 116 days happened.
5. Though, the Application is contested by the Respondent No. 2, for the reasons given in the Application, delay is condoned.



6. The Application stands disposed of accordingly.

RFA 194/2026, CM APPL. 13279/2026

7. Appeal under Section 96 read with Order XLI Rule 1 read with Section 151 of the Code of Civil Procedure, 1908 (CPC) has been filed against the judgment and decree dated 17.09.2025 whereby the Suit of the Plaintiff/Appellant for Specific Performance of Agreement to Sell and Permanent Injunction has been dismissed.

8. On advance Notice, learned Counsel for Respondent No. 2 has appeared.

9. None is appearing on behalf of the Respondent No. 1.

10. Though, the Respondent No. 1 was *ex parte* before the learned Trial Court, in the interest of justice, on filing PF, Notice be issued to the Respondent No. 1 through ordinary electronic modes, returnable on 27.04.2026.

11. E-Trial Court Record be summoned on or before the next date of hearing.

12. Written Submissions be filed by both the parties within 08 weeks.

13. While dismissing the Suit, a cost of Rs.50,000/- has been imposed, which is stayed till further orders.

NEENA BANSAL KRISHNA, J

FEBRUARY 26, 2026

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