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

+ **RFA 244/2025**

SH. SARVESH MATHUR

.....Appellant

Through: Mr. Sandeep P. Agarwal, Senior
Advocate with Ms. Niyati Kohli,
Advocate

versus

MS. NALINI MATHUR & ORS.

.....Respondents

Through: Mr. Chetan Lokur, Advocate

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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12.03.2025

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

CM APPL. 15188/2025 (exemption)

1. Allowed, subject to all just exceptions.

**CM APPL. 15186/2025 (for condonation of delay of 290 days in filing),
CM APPL. 15187/2025 (for condonation of delay of 165 days in refiling)
& RFA 244/2025**

2. The appellant has assailed rejection of plaint of his suit for declaration, partition and injunction. The plaint was rejected holding that the suit was time barred.

3. The delay in filing appeal has been explained largely on the basis of Section 14 of the Limitation Act as the appellant sought review of the rejection of plaint, which review was dismissed.

4. Learned counsel for respondent appearing on advance intimation accepts notice.

5. Digitized record of the trial court be requisitioned atleast one week before the next date of hearing.



6. Both sides shall file their written submissions not exceeding five pages each within four weeks.
7. Relist on 06.08.2025.

GIRISH KATHPALIA, J

MARCH 12, 2025/tp

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