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

CNR No. DLHC011164542010

+ **RFA 616/2010**

BHARTI AIRTEL LTDAppellant

Through: **Mr. Puneet Bajaj, Advocate.**

versus

JHAMMAN LAL GUPTARespondent

Through: **Mr. Dhananjay Gupta,**
Advocate.

CORAM:

HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR

ORDER

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14.08.2026

CM APPL. 54269/2026 (For recalling of order dt. 25.08.2010 & 28.07.2011)

1. The present Application, filed under Section 151 of the Code of Civil Procedure, 1908 by the Applicant/Respondent, seeks recall of the Orders dated 25.08.2010 and 28.07.2011, purportedly in the interest of justice.

2. At the outset, it is noted that the present Application has been filed nearly fifteen (15) years after the decretal amount came to be deposited before this Court.

3. The Order dated 28.07.2011 records as under:-

“1. Admit.

2. Be listed as per its own turn in the Regular List.

CM No.15188/2010

1. The appellant has deposited the decretal amount in terms of the order dated 25th August, 2010 and the same is lying in fixed deposit. Let the same be released to the respondent against furnishing sufficient security to the satisfaction of the Registrar General of this Court.

2. The application is disposed of.”



4. It is, therefore, evident that this Court, *vide* its Order dated 28.07.2011, had expressly recorded that the decretal amount had been deposited by the Appellant in terms of the Order dated 25.08.2010 and that the said amount was lying in Fixed Deposit.

5. In view of the aforesaid categorical recording by this Court, the Applicant/Respondent cannot, after a lapse of nearly fifteen (15) years, seek to contend that the deposit was not in terms of the Order dated 25.08.2010. Such a contention is contrary to the record of the proceedings and cannot furnish any basis for recalling the Orders which are sought to be assailed by way of the present Application. The Application, accordingly, is devoid of merit and is dismissed.

6. The present Application stands disposed of in the aforesaid terms.

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7. List on 17.08.2026, i.e., the date already fixed.

HARISH VAIDYANATHAN SHANKAR, J.
AUGUST 14, 2026/tk/ma