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

+ RFA 428/2009

SATYENDER NATH SINGHAL & ANRAppellants

Through: None.

versus

MADHUBALA GUPTRUP & ANRRespondents

Through: Ms. Manisha Agrawal Narain, CGSC
with Mr. Navneet Saharan, Adv. along
with Mr. Rajesh Kumar, Public
Relation Inspector, Ashok Vihar, P.O.
for R-2.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **25.03.2026**

1. This hearing has been done through hybrid mode.
2. The present appeal under Section 96 of the CPC seeks the following prayers: -

“A. Set aside the judgment and decree dated 03-07-2009 as passed by the Addl. District and Sessions Judge in Civil Suit No. 61 of 2008.

B. Allow the costs throughout to the Appellants.

C. Pass such other and further order as may be deemed fit and proper in the facts and circumstances of the case.”

3. *Vide* order dated 20.12.2011, learned Predecessor Bench of this Court passed the following order: -

“C.M. No.22874/2011

This application is indicative of trait of the appellants to



somehow or the other continue the stay of the impugned judgment without depositing the amount under the impugned judgment and decree to the respondents/plaintiffs who were defrauded with respect to post office saving deposits. An order was passed way back on 13.11.2009 for stay of the impugned judgment and decree subject to deposit of the decretal amount, however, the same was not complied with. A review petition was also filed which was also dismissed ultimately on 21.1.2011. This Court vide order dated 28.11.2011 ultimately dismissed the stay application being C.M. No. 16253/2009.

The present application therefore being an abuse of process of law is dismissed with costs of Rs. 5,000/- to be deposited in the account of Registrar General of this Court, maintained in UCO Bank, Delhi High Court Branch, New Delhi, for being utilized towards juvenile justice. Costs be deposited within two weeks.”

4. Cost in terms of the aforesaid order has not been deposited.
5. There has been no appearance on behalf of the appellants on 27.11.2024, 06.12.2024, 11.12.2024, 28.04.2025 and 06.11.2025.
6. Court notice issued to the appellants *vide* order dated 28.04.2025 was served, however, there is still no appearance on behalf of the appellants today.
7. In view of the above, the present appeal is dismissed in default for non-prosecution and disposed of.
8. Pending application(s), if any, also stand disposed of.
9. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J

MARCH 25, 2026/kr/sg