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

+ RFA 534/2016

GHANSHYAM DASS GUPTA

.....Appellant

Through: Mr. O.P. Aggarwal and Mr. Ashish
Aggarwal, Advs.

versus

SHYAM WATI & ORS

.....Respondents

Through: Ms. Shalini Kapoor and Ms. Divyanshi
Saxena, Advs for R-1.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **19.07.2024**

CM APPL. 39013/2022 (Vacation of Stay)

1. Learned counsel for the applicant points out that *vide* order dated 03.08.2016, a conditional interim order was granted in favour of the appellant. She, however, submits that notwithstanding the conditional order, the appellant failed to comply with the same. She further points out that *vide* order dated 23.05.2019, the appellant had undertaken to continuously deposit a sum of Rs.15,000/- on or before 7th day of every calendar month till the disposal of the appeal.

2. Learned counsel for the applicant further points out that *vide* order dated 22.02.2024, time was granted to the appellant to file an affidavit showing the necessary compliance of both the orders. She, however, submits that as of now, no affidavit has been filed by the appellant.



3. Learned counsel appearing for the appellant submits that on account of his illness, he could not file the affidavit.
4. Before passing any direction in the instant application, the Court deems it appropriate to grant one last opportunity of 10 days to the appellant to file the affidavit, as was directed by this Court on 22.02.2024. If the appellant fails to do so, the Court would consider to pass an appropriate order.
5. List on 20.08.2024.

PURUSHAINdra KUMAR KAURAV, J

JULY 19, 2024/MJ