



\$~72

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

+ RFA 561/2016 & CM APPL. 53965/2025, CM APPL. 53966/2025

KULDEEP AGGARWAL

.....Appellant

Through: Mr. Kirti Uppal, Sr. Advocate with
Mr. Praveen Chauhan, Mr. Sarthak
Sawhney and Ms. Malvica, Ms.
Archisha Satyarthi, Advocates
Mob: 9717259461
Email:
praveenchauhan65@gmail.com

versus

SATENDER SINGH

.....Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

28.08.2025

%

CM APPL. 53966/2025 (for Exemption)

1. Exemption allowed, subject to just exceptions.
2. Application is disposed of.

CM APPL. 53965/2025

3. The present application has been filed on behalf of the appellant seeking clarification of the order dated 09th August, 2016.
4. It is submitted that the present appeal is pending before this Court, wherein, the appellant has impugned the judgment and decree dated 04th May, 2016, passed by the Additional District Judge ("ADJ")-04 South West District, Dwarka Courts, New Delhi, in *CS No. 100/2014*.
5. It is submitted that *vide* order dated 09th August, 2016, this Court had



admitted the present appeal and has listed the same in the 'Regular Matters'.

6. Additionally, this Court had stayed the operation of the impugned judgment subject to deposit of the entire decretal amount by the appellant within a period of eight weeks from the date of the said order.

7. Subsequently, extension of time was granted to the appellant and ultimately, the appellant deposited a sum of Rs. 11,00,000/- (Rupees Eleven Lakhs) *vide* two Demand Drafts.

8. It is submitted that as per the calculation of the appellant, the decretal amount was the tune to of Rs. 11,00,000/- (Rupees Eleven Lakhs), hence, the said amount was accordingly deposited by the appellant.

9. It is submitted that now the respondent has filed an application seeking revival of the execution proceedings by relying upon an order dated 21st October, 2024, passed by this Court in *EX. FA. 6/2022*.

10. It is submitted that the learned Executing Court has now, *vide* order dated 18th July, 2025 in *M. Ex.336/2024*, sought clarification from the parties with respect to the decretal amount deposited by the appellant before this Court.

11. Learned counsel appearing for the appellant submits that as per the respondent, there is a deficit of Rs. 60,000/- (Rupees Sixty Thousand) in the amount deposited by the appellant before this Court.

12. Issue notice to the respondent, by all modes.

13. In the meanwhile, the Registry of this Court is directed to make the calculation of the decretal amount, in terms of the impugned judgment and decree dated 04th May, 2016, passed by the Trial Court.

14. This Court is informed that the date before the Executing Court is tomorrow, i.e., 29th August, 2025.



15. In view of the application filed before this Court, the Executing Court is directed to list the execution proceedings, i.e., *M. Ex. 336/2024*, after the date given before this Court.

16. Re-notify on 17th September, 2025.

MINI PUSHKARNA, J

AUGUST 28, 2025

ak