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

+ **RFA 184/2017**

NORTH DELHI MUNICIPAL CORPORATION

..... Appellant

Through: Proxy Advocate (*appearance not given*).

versus

SUNITA KAELEY & ANR

..... Respondents

Through: Ms. Sujata Rao, Advocate for R-1.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **11.07.2018**

C.M. Appl. No. 6215/2017 (for stay)

1. By the order of a Learned Single Judge of this Court dated 16.2.2017 operation of the impugned judgment and decree was stayed. The impugned judgment and decree is a money decree and such a money decree in view of Order 41 Rule 5 CPC cannot be stayed with respect to its execution unless the appellant gives necessary security for the decretal amount or deposits the decretal amount in this Court.

2. Considering the facts of the case since the appellant has been held guilty of illegal acts of sealing of mobile towers and damages have been accordingly imposed, this application is disposed of by ordering that operation of the impugned judgment and decree will remain stayed on the appellant depositing decretal amount in this Court within a period of eight weeks from today.

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C.M. stands disposed of.

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3. **ADMIT.**

4. List this appeal in due course in the category of '*Regulars*' as per the year of its seniority.

VALMIKI J. MEHTA, J

JULY 11, 2018

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