

**RSA No. 448 of 2016**

24.04.2017 Present: Mr. Parmod Thakur, Additional Advocate General, for the appellants/applicants.
Ms. Leena Guleria, Advocate, vice Mr. G.R. Palsra, Advocate, for the respondents/non-applicants.

CMP No. 2648 of 2017

By way of this application, the applicants have prayed for extension of time to deposit the decretal amount. In my considered view, this application is totally misconceived as presently there is no order passed by this Court granting time to the applicants to deposit the decretal amount. On the contrary, a perusal of order dated 06.03.2017 demonstrates that this Court has already observed that as the impugned judgment and decree is a money decree, execution thereof cannot be ordered to be stayed till decretal amount is not deposited. Thereafter, this Court had given liberty to the applicants to file a fresh application as and when decretal amount is deposited. In the present application, there is no averment that the decretal amount stands deposited. Prayer therein is that the applicants may be allowed some more time to arrange and deposit decretal amount. This Court has not debarred the applicants from depositing the decretal amount as there is no direction passed by this Court that the decretal amount be deposited by the applicants within a time bound period as of now. All that has been ordered by this Court is that in the absence of decretal amount being deposited by the applicants, execution of the decree under challenge can not be stayed.



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In this view of the matter, this application is totally misconceived and the same is therefore dismissed. However, it is clarified that the liberty granted by this Court to the applicants vide order dated 06.03.2017 still stands.

(Ajay Mohan Goel)
Judge

April 24, 2017
(bhupender)



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