

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil First Appeal No. 1134/2024

Okinawa Autotech International Private Limited

----Appellant

Versus

Sampat Ram Chippa S/o Late Shri Payrelal Chipaa,

----Respondent

For Appellant(s) : Mr. Anurag Bhatt, Adv.
Mr. Lokesh Pathak, Adv.
Mr. Kunal Meena, Adv.

For Respondent(s) :

HON'BLE MR. JUSTICE NARENDRA SINGH DHADDHA

Order

07/11/2024

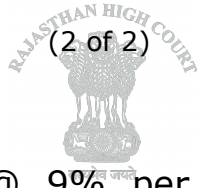
Heard.

Application under Section 5 of Limitation Act is allowed for the reasons mentioned therein and the delay of 39 days in filing the appeal is condoned.

Issue notice to the respondents.

List after six weeks.

In the meantime, operation/execution of the impugned judgment and decree dt.01.06.2024 passed by Additional District Judge No.4, Jaipur Metropolitan-1st in Civil Suit No.38/2021 is stayed on condition that the appellant shall deposit entire decretal amount with the trial court concerned within a month from today. On such deposit being made, the respondents shall be at liberty to withdraw 50% of the said amount on their furnishing an undertaking on oath to the effect that if the appellant ultimately succeeds in the appeal, the said amount shall be refunded by



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them alongwith interest @ 9% per annum from the date of withdrawal till refund. The remaining 50% of the decretal amount be invested in FDR of a Nationalised Bank initially for a period of one year which shall be renewed from time to time.

(NARENDRA SINGH DHADDHA),J

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