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

+ RFA 234/2023

M/S TAMTA CONSTRUCTION CO.PVT LTD

Appellant

Through: Mr. Yogesh Kumar, Adv.

versus

RAM PUKAR SINGH

Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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14.12.2023

CM APPL. 13623/2023-DELAY IN FILING APPEAL

1. This is an application seeking condonation of delay of 52 days in filing the appeal on account of change of counsel.
2. The files were taken from the counsel and after some time, the files were handed back. Hence, the delay.
3. For the said reasons, 52 days in filing the appeal stands condoned.
4. The application is disposed of.

RFA 234/2023

1. This is an appeal seeking to challenge the judgment and decree dated 19.10.2022 passed by the learned ADJ-01, South West, Dwarka Courts, New Delhi in CS DJ No. 959/2016 titled as "*Ram Pukar Singh vs. M/s Tamta Construction Company Pvt. Ltd.*", wherein the suit for recovery of Rs. 5,90,466/- was decreed along with interest of 8% per annum from the date of filing of the suit till realization.
2. It is stated by Mr. Yogesh Kumar, learned counsel for the appellant



that the learned ADJ failed to appreciate that the respondent had forged and fabricated salary sheets and also that the appellant had already paid the salary from April, 2018 to December, 2018. The same has not been appreciated by the learned ADJ.

3. For the said reasons, issue notice to the respondent through all modes including electronic on the appellant taking steps within 1 week from today.
4. The notice be also served through the counsel representing the respondent before the Trial Court.
5. List on 16.01.2024 before the Joint Registrar.
6. List before the Court on 02.05.2024.

CM APPL. 13622/2023-INTERIM ORDER / RESTRAIN

7. This is an application seeking stay of the judgment and decree dated 19.10.2022 passed by the learned ADJ-01, South West, Dwarka Courts, New Delhi in CS DJ No. 959/2016 titled as “*Ram Pukar Singh vs. M/s Tamta Construction Company Pvt. Ltd.*”.
8. Subject to the appellant depositing 50% of the decretal amount within 2 months from today with the Registrar General, the effect and operation of the judgment and decree dated 19.10.2022 passed by the learned ADJ-01, South West, Dwarka Courts, New Delhi in CS DJ No. 959/2016 titled as “*Ram Pukar Singh vs. M/s Tamta Construction Company Pvt. Ltd.*” shall remain stayed till the next date of hearing.
9. List on 16.01.2024 before the Joint Registrar.
10. List before the Court on 02.05.2024.



JASMEET SINGH, J

DECEMBER 14, 2023 / (MS)

[Click here to check corrigendum, if any](#)