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

+ RFA 632/2023

MD. ANWAR HUSSAIN Appellant

Through: Mr. Tarun Gahlot, Advocate.

versus

M/S MAA KALI FR UIT TRADERS Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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11.10.2023

CM APPL. 52872/2023 *(for extension of time)*

1. As notice of the appeal has not yet been served upon the respondent, it is not necessary to serve notice of this application on the respondent at this stage.
2. The appellant has filed this application for extension of time to deposit the decretal amount in terms of the order dated 09.08.2023. By the said order, the execution proceedings in respect of the impugned decree were stayed, subject to the appellant depositing 50% of the principal decretal amount into the Court within four weeks and the balance 50% within four weeks thereafter.
3. It is stated in the application that the appellant had obtained two demand drafts in favour of the learned Registrar General, prepared on 14.09.2023 and 03.10.2023, but due to a miscommunication with the learned counsel for the appellant, did not forward the first demand draft to learned counsel for deposit in Court within the time granted.

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4. For the reasons stated in the application and in the interest of justice, the application is allowed. The time to deposit the entire principal decretal amount of Rs.9,00,000/- is extended until tomorrow, i.e., 12.10.2023. It is made clear that if the amount is not deposited by tomorrow, the order of stay shall stand automatically vacated.

5. The application stands disposed of.

PRATEEK JALAN, J

OCTOBER 11, 2023

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