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

+ W.P.(C) 11766/2016

MANJU DEVI & ORS Petitioners

Through: Mr.Anurag Jain, Adv.

versus

M/S RBL BANK LTD. & ORS Respondents

Through: Ms.Sushmita Banerjee, Adv. for R-1.

CORAM:

HON'BLE MS. JUSTICE INDIRA BANERJEE

HON'BLE MR. JUSTICE ANIL KUMAR CHAWLA

ORDER

% **20.02.2017**

CM No.6890/2017

Exemption allowed subject to all just exceptions.

The application stands disposed of.

CM No.6891/2017 (for clarification of order dated 01.02.2017)

This application is purportedly for clarification of a judgment and order dated 01.02.2017 passed by this Bench in the writ petition filed by the petitioner.

By the judgment and order, of which clarification has been sought, this Court set aside the order impugned to the extent that each of the appellants had been required to pay 50% of the amount due from Ajay Kumar Gupta. The rest of the order was left untouched. We made it clear that we had not gone into the merits of the appeal. The appeal was to be disposed of in accordance with law without

insisting on any deposit.

We also directed that any prayer for interim relief might be considered in accordance with law. Such prayer might be turned down unless the conditions precedent for passing an interim order such a strong *prima facie* case, balance of convenience and the like are found to exist.

This application styled as an application for clarification is in effect and substance an application for further order with regard to the undertaking that was required to be given by the petitioners in terms of the order impugned. We did not interfere with the aforesaid direction. We only directed that the appeal, including any prayer for interim relief be heard without insisting on deposit.

Any application for further order should be made before the Appellate Authority and not by way of an application in a writ petition that has been disposed of.

The application is therefore, dismissed with the above directions.

DASTI.

INDIRA BANERJEE, J

ANIL KUMAR CHAWLA, J

FEBRUARY 20, 2017

gm