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

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**RFA 785/2017 and C.M. Appl. No. 33437/2017 (for stay)**

NIRMAL MEHTO

..... Appellant

Through: Mr. Siddharth Bambha and Mr. Vikas  
Chhabra, Advocates.

versus

CHANDER SHEKHAR ARORA

..... Respondent

Through: Mr. Amit Gandhi, Advocate.

**CORAM:**

**HON'BLE MR. JUSTICE VALMIKI J. MEHTA**

**ORDER**

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**09.05.2018**

1. After arguments, this appeal is disposed of with the consent order that the impugned judgment dated 31.3.2017 refusing to condone the delay of 12 days in filing of the leave to defend application is set aside, but the same is subject to payment of costs of Rs.15,000/- to the counsel for the respondent/plaintiff. Costs be paid within two weeks from today.

2. Trial court is also requested to ensure that from the first effective date fixed before it after remand, the leave to defend application will be entitled to be disposed of in six months and no adjournment would be granted to the appellant/defendant, except may be one, and that too on payment of heavy costs with respect to arguments on the leave to defend application.

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3. Parties to appear before the District and Sessions Judge, North-West District, Rohini Courts, Delhi on 29<sup>th</sup> May, 2018 and the District and Sessions Judge will now mark the suit for disposal to a competent court in accordance with law.

**VALMIKI J. MEHTA, J**

**MAY 09, 2018**

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