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

+ **CM(M) 2087/2023**

PURSHOTTAM DUTT THAPLIYAL AND ANR Petitioners

Through: **Mr.Sandeep & Mr.Amit Mishra,**
Advs.

versus

ANKUR GOEL AND ANR

..... Respondents

Through: **None.**

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

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06.03.2024

CM APPL.14080/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Applications stands disposed of.

CM APPL.14079/2024

3. Present application has been filed by the applicants/petitioners under Section 151 Code of Civil Procedure, 1908 (hereinafter referred as 'CPC') seeking extension of time to produce the fixed deposit of Rs.27,12,519.33/- including interest @ 6.5% per annum before the learned Trial Court in Case No.25/2018 titled as "*Ankur Goel vs. Purshottam Dutt Thapaliyal*".
4. It is submitted that in compliance of the order of this Court dated 18.12.2023, applicants/petitioners herein could not deposit the amount within time as directed by this Court. It is submitted that due to financial constraints, the applicants/petitioners could not arrange the amount which



now they have been able to arrange and the FDRs of the amount is also prepared which petitioners had wanted to place before the learned Trial Court which refused to accept the same as the same was being tendered after the expiry of the period i.e. on 12.02.2024 as directed by this Court.

5. In view of the submissions, the FDR of Rs.27,12,519.33/- is allowed to be placed on the record of the learned Trial Court, subject to cost of Rs.5,000/- to be paid to the non-applicant before the learned Trial Court on the next date of hearing fixed before it i.e. 14.03.2024.

6. Consequently, application stands disposed of.

CM APPL.14081/2024 (stay)

7. In view of order passed in CM APPL.14079/2024, present application has become infructuous.

8. Application stands disposed of.

SHALINDER KAUR, J

MARCH 6, 2024/ab