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

+ **RFA 33/2023**

PRAMOD PAREKH

.....Appellant

Through: Mr. Yatin Jagtap, Advocate

versus

JATIN LALIT SHAH

.....Respondent

Through: Ms. Varsha Agarwal, Advocate

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

10.03.2025

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[Physical Hearing/Hybrid Hearing (as per request)]

CM APPL. 14197/2025 (for condonation of delay of 166 days in filing)
& CM APPL. 14196/2025 (for restoration)

1. The appeal was dismissed in default on 21.08.2024. The default in appearance dated 21.08.2024 has been explained in the application largely on the ground of illness of father of learned counsel, who unfortunately passed away on 24.07.2024.
2. In other words, prima facie, there is no explanation for default in appearance dated 21.08.2024.
3. Learned counsel for respondent appearing on advance intimation accepts notice and strongly opposes the application. It is submitted by learned counsel that the appellant has been falsely stating before the execution court that the appeal is pending as on date. Reply to the application be filed within four weeks.



4. In the meanwhile, it is made clear that as on date neither there is stay on execution proceedings nor the appeal is pending before this Court. As requested, dasti copy of this order be given to both sides since the execution is stated to be listed today itself.
5. List for disposal of the application on 22.07.2025.

GIRISH KATHPALIA, J

MARCH 10, 2025/as

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