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

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Decision delivered on: 31.05.2024+ **EFA(OS) 12/2024 & CM Nos.34252-53/2024**

DHRUV VARMA

..... Appellant

Through: Mr Himanshu Bhushan, Adv.

versus

M/S RATNA COMMERCIAL
ENTERPRISES LTD. & ORS.

..... Respondents

Through: None.

CORAM:**HON'BLE MR. JUSTICE RAJIV SHAKDHER****HON'BLE MR. JUSTICE AMIT BANSAL****[Physical Hearing/Hybrid Hearing (as per request)]****RAJIV SHAKDHER, J. (ORAL):****CM No.34252/2024**

1. Allowed, subject to just exceptions.

EFA(OS) 12/2024 & CM No.34253/2024 *[Application filed on behalf of the appellant seeking condonation of delay of 722 days in filing the appeal]*

2. This is an appeal, whereby challenge is laid to the order dated 17.12.2021 passed by the learned Single Judge in Ex.APPL.(OS)No.380/2011 preferred in Ex.P.No.160/2011.

3. The principal grievance of the appellant is that his passport, which is lying in the custody of this court, has not been released.

4. Admittedly, the decretal amount, i.e., Rs.41,64,47,667/-, even according



to the appellant, is outstanding.

5. A perusal of the order dated 14.01.2013 would show that the appellant had himself offered to deposit his passport.

6. As would be evident, this appeal, even according to the appellant, has been filed after a delay of 722 days.

6.1 Furthermore, the appellant has not placed on record anything which would demonstrate that he has plans to travel abroad.

7. Therefore, at this juncture, we are not inclined to interfere with the order dated 17.12.2021.

8. As and when the appellant's interests necessitate the requirement to travel abroad, an application may be filed which will then be considered, *albeit* as per law.

9. The appeal is disposed of in the aforesaid terms. Consequently, the pending application shall stand closed.

10. Parties will act based on the digitally signed copy of the order.

RAJIV SHAKDHER, J

AMIT BANSAL, J

MAY 31, 2024

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