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

+ **RFA(COMM) 310/2025 & CM APPL. 50381/2025**

M/S SUBH LAXMI BABY CAREAppellant
Through: Mr. Vikram Jit Saini, Adv.
versus

M/S I.G. ENTERPRISESRespondent
Through: Mr. Anurag Ojha, SSC with Mr.
Subham Kumar and Mr. Dipak Raj,
Adv.

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE SHAIL JAIN

ORDER
% **26.08.2025**

1. This hearing has been done through hybrid mode.
2. The present appeal under Section 13 of Commercial Courts Act, 2015 has been filed by the Appellant challenging the impugned judgment and decree dated 4th February, 2025 passed by Id, District Judge, (Commercial Court)-02, Central District, Tis Hazari Courts, Delhi. Vide the impugned judgment, Id. District Judge has held that the Respondent - I.S Enterprises is entitled to recover Rs.7.34,876/- from the Appellant-M/s Subh Laxmi Baby Care.
3. In this appeal, vide order dated 21st May, 2025 notice was issued and the impugned judgement was stayed, subject to deposit of 50% decretal amount. The said order reads as under:

“8. The impugned judgment shall not be executed subject to deposit of 50% of the decretal amount with the worthy Registrar General of this Court by 20th July, 2025.”



4. An application was, thereafter, moved by the Respondent that the decretal amount has not been deposited and, hence, the appeal of the Appellant ought to be dismissed.

5. In the said application, notice was issued to Id. Counsel for the Appellant. Mr. Vikramjit Saini, Id. Counsel has appeared on behalf of the Appellant and has submitted that the Appellant has not contacted him and has not given any instructions pertaining to the matter.

6. Under these circumstances, due to non-compliance of the order dated 21st May, 2025 passed by this Court, the appeal would be liable to be dismissed. The Respondent is thus free to execute the decree.

7. Accordingly, the appeal, along with all pending applications, is dismissed.

PRATHIBA M. SINGH, J.

SHAIL JAIN, J.

AUGUST 26, 2025/dk/sh/ss