



2026:DHC:1686



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of Decision: 25th February, 2026

+ CM(M) 233/2026

JITENDAR KUMAR SHARMA

.....Petitioner

Through: Mr. Lakshay Yadav, Mr. Gaurav
Kumar and Mr. Abhishek Gusain,
Advocates.

versus

ANITA ANAND

.....Respondent

Through: None.

CORAM:**HON'BLE MR. JUSTICE RAJNEESH KUMAR GUPTA****ORDER (Oral)****Rajneesh Kumar Gupta, J.**

1. This hearing has been conducted through hybrid mode.

CM APPL. 6327/2026 (for exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

CM(M) 233/2026 & CM APPL. 6326/2026 (for stay)3. The present petition has been filed by the petitioner under Article 227 of the Constitution of India, 1950 read with Section 151 of the Code of Civil Procedure, 1908 assailing the order dated 20th April, 2024, passed by the learned Trial Court in CS SCJ No. 1099/2020, whereby the leave to defend was granted to the petitioner/defendant, subject to deposit of 50% of the suit amount as security in the favour of the plaintiff.

4. Learned counsel for the petitioner submits that the petitioner is a poor



person and is not in a position to deposit the said amount, as he has to look after his family and further due to the medical condition of his wife, a substantial portion of his earning is spent on her treatment.

5. Heard. Record perused.

6. Perusal of the impugned order shows that the learned Trial Court has passed the same after taking into consideration all the material available on the record. The plea regarding the financial condition of the petitioner, as raised before this Court, does not justify the prayer seeking modification of the impugned order with respect to the amount directed to be deposited as security before the learned Trial Court. This court, therefore, does not find any illegality or infirmity in the impugned order as it is a reasoned order passed in accordance with law, and the same is upheld.

7. Accordingly, the present petition is disposed of as being devoid of any merits. Pending application(s), if any, also stands disposed of.

RAJNEESH KUMAR GUPTA, J

FEBRUARY 25, 2026/nd/ik