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

+ RFA 34/2010

RAJ KUMAR

.....Appellant

Through: None.
versus

NIRMAL SINGH

.....Respondent

Through: Mr. Amardeep Maini, Advocate.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **10.02.2026**

1. This hearing has been done through hybrid mode.
2. The present appeal under Section 96 of the CPC seeks following prayers:-

“(i) Modify and/or alter the Judgment and Decree dated 17.11.2009 so as to grant the reliefs of specific performance of the agreement to sell-cum-receipt dated 09.12.2005 with injunction as prayed for by the Appellant; or in the alternative, grant the relief of return of double the earnest/advance money of Rs.4,80,000/- (double of Rs.2,40,000/-) together with interest at the rate of 18 percent per annum thereon from 11.01.2006 till realization;

(ii) award costs of the present appeal to the Appellant; and

(iii) pass such other or further orders as this Hon'ble Court may deem fit and proper

FOR WHICH ACT OF KINDNESS THE APPELLANT SHALL AS
IN DUTY BOUND EVER PRAY.”

3. *Vide* order dated 10.12.2024, Court notice was issued to the appellant as well as to his counsel for appearance on 21.04.2025.
4. Despite service none appeared on behalf of the appellant on 21.04.2025.



5. There was no appearance on behalf of the appellant on the last date of hearing as well, i.e., on 08.10.2025.
6. In view of the above, the present appeal is dismissed in default for non-prosecution and disposed of accordingly.
7. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

FEBRUARY 10, 2026/sn/sg