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

+ **FAO(OS) 141/2025 & CM APPL. 71320/2025**

**ARUN KUMAR**

.....Appellant

Through: Mr. Arun Kumar, appellant in person.

versus

**SUBHASH KAROTIA & ANR.**

.....Respondents

Through: None.

**CORAM:**

**HON'BLE MR. JUSTICE VIVEK CHAUDHARY**

**HON'BLE MS. JUSTICE RENU BHATNAGAR**

**ORDER**

% **05.02.2026**

**CM APPL. 71321/2025**

1. Allowed, subject to all just exceptions.
2. Accordingly, the present application stands disposed of.

**CM APPL. 71322/2025** (*condonation of delay of 14 days in filing*)

3. The present application has been filed under Section 151 of the Code of Civil Procedure, 1908, ("CPC") seeking condonation of delay of 14 days in filing the captioned appeal.
4. Learned counsel for the respondent submits that he has no objection if the delay is condoned.
5. In view of the reasons assigned in the application, the present application is allowed and the delay of 14 days in filing the appeal is, hereby, condoned.
6. Accordingly, the present application stands disposed of.



**FAO(OS) 141/2025**

7. The present appeal has been filed under Order XLIII Rule 1 & 2 of the CPC read with Section 10 of Delhi High Court Act. 1966 against the impugned Order dated 17.09.2025 passed in I.A. 14805/2022 in CS (OS) 298/2022. *Vide* the aforementioned order, learned Single Judge has dismissed the application, filed under Section 21(2) of the CPC.

8. The present application was filed with the allegations that the valuation of the Suit Property was wrongly enhanced only to bring the matter within the pecuniary jurisdiction of this Court.

9. Heard the counsel for the parties. This is both an issue of fact and law. Such an issue can only be decided after parties have led evidence and cannot be adjudicated at this stage, therefore, at this stage such an application is not maintainable.

10. Therefore, we do not find any illegality and perversity in the impugned order.

11. In the view of the above, the present appeal is accordingly dismissed.

12. Pending applications, (if any), also stands disposed of.

**VIVEK CHAUDHARY, J**

**RENU BHATNAGAR, J**

**FEBRUARY 5, 2026/ht**