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

\+ RFA(COMM) 687/2025 and CM APPL. 77511/2025, CM APPL. 77512/2025, CM APPL. 77513/2025

CANARA BANK .....APPELLANT

Through: Mr. Nikhil Kumar Singh and Ms. Shasya Singh, Advs.

versus

VIKRAM & ANR. .....RESPONDENTS

Through: Appearance not given

CORAM:
HON'BLE MR. JUSTICE DINESH MEHTA
HON'BLE MR. JUSTICE VINOD KUMAR

ORDER

% **28.01.2026**

1. The appellant is a bank, which has called in question the judgment and decree dated 08.08.2025, whereby the learned District Judge, Commercial Courts (*hereinafter referred to as 'the Commercial Court'*) has decreed the suit and directed the defendant to pay a sum of Rs.5,15,214.33/- along with *pendent-lite* and future interest at the rate of 6% per annum. A direction has however been given to the plaintiff to fix easy installments.

2. The grievance raised by the appellant in the instant appeal is, that the Commercial Court ought not to have issued direction to the appellant/bank to fix easy installments. We would like to reproduce operative part of the judgment/decree which reads thus :-

> *"62. In view of the findings on the above issues, the suit of the plaintiff is hereby decreed for a sum of Rs. 5,15,214.33/-along with pendente lite and future interest @ 6% per annum from the date of filing of the suit till realization, in favour of the plaintiff and against the defendants, who shall be jointly and severally liable to pay the same. Considering the financial condition of the defendants as reflected in the evidence and the willingness*

shown by defendant no.1 to repay the dues, it is further directed that the plaintiff bank shall prepare a schedule of easy monthly installments for repayment of the decreed amount along with interest, and communicate the same to the defendants within four weeks from the date of this judgment. The defendants shall commence payment as per the said schedule within two weeks thereafter. No order as to costs. Decree sheet be drawn and file be consigned to Record Room after due compliance."

3. Heard learned counsel for the appellant.

4. We are not only concerned for the frivolous appeal which the appellant has filed but also constrained to observe that only with a view to challenging the part of decree where the Commercial Court has granted small indulgence to the defendants to deposit the amount in easy installments, the bank has preferred the present appeal and has spent a sum of Rs.7,500/- as court fee, apart from other administrative and legal expenses.

5. According to us, the present appeal is nothing but an abuse of process of law. When the suit has been decreed as prayed, the appellant/bank ought to have rest contended rather than challenging the decree just for the sake of it.

6. Learned counsel for the appellant has not been able to bring to fore any illegality in the judgment/decree.

7. The appeal is, therefore, dismissed.

8. Pending applications stand disposed of, as infructuous.

DINESH MEHTA, J

VINOD KUMAR, J

JANUARY 28, 2026/*ss*