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

+ **RFA(COMM) 721/2025 & CM APPL. 81903/2025**

R KRISHNAMURTHY AND COAppellant

Through: Mr. Mikhil Vij, Adv.

versus

ATINDRA PRASAD ADHIKARI, PROPRIETOR

SKB INFRATECH

.....Respondent

Through: None.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **01.04.2026**

1. This hearing has been done through hybrid mode.
2. The present appeal arises out of the impugned order and decree dated 18th October, 2025 in **CS(COMM) 580/2022** passed by Ld. District Judge, (Commercial-01), Saket Courts, New Delhi by which Respondent/Plaintiff's suit for recovery has been decreed in the following terms:

“Vide separate detailed judgment announced in the open court today, instant suit is decreed with cost in favour of plaintiff and against the defendant for an amount of Rs. 95,19,601/- (Rs. Ninety Five Lacs Nineteen Thousand Six Hundred and One Only) along with pendente lite and future interest @ 12% per annum.”

3. Mr. Mikhil Vij, Id. Counsel appearing for the Appellant submits that he has instructions to withdraw the present appeal.
4. Further, Id. Counsel for the Appellant also submits that the Respondent has not sought execution of the impugned decree dated 18th October, 2025.



5. *Vide* order dated 23rd December, 2025, this Court had stayed the execution of the impugned judgment/decreed, subject to deposit of Rs.50,00,000/- by the Appellant with the Registrar General of this Court.
6. However, the aforesaid amount has not been deposited by the Appellant. Accordingly, the interim order dated 23rd December, 2025 stands vacated.
7. Considering the submission made today, the appeal along with pending applications is dismissed as withdrawn.

PRATHIBA M. SINGH, J.

MADHU JAIN, J.

APRIL 1, 2026/dk/sm