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

+ **RFA 46/2026, CM APPL. 2773/2026 (stay)**

AUM CAPITAL MARKET PVT LTDAppellant

Through: Mr. Shashank Garg (Sr. Advocate),
Mr. Niraj Singh (Advocate), Mr.
Prithviraj Oberoi (Advocate), Ms.
Vibhuti Khandelwal (Advocate), Ms.
Aishani Mohan(Advocate)

versus

MR ANDEW MICHAEL HENRYRespondent

Through: None

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **16.01.2026**

CM APPL. 2774/2026 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The Application stands disposed of.

RFA 46/2026 & CM APPL.2775/2026 (delay)

3. Regular First Appeal under Section 96 read with Order XLI Rule 1 of the Code of Civil Procedure, 1908 (*hereinafter referred to as 'CPC'*) has been filed on behalf of the Appellant to challenge the Judgment and decree dated 28.02.2017 whereby a decree of Rs.73,14,375/- along with the interest @ 9% p.a. has been passed against the Appellant.
4. The Appeal is supported with an Application under Order XLI Rule 3(A) of the CPC read with Section 5 of the Limitation Act for condonation of delay of 3208 days in filing the Appeal.
5. After some arguments, learned counsel for the Appellant seeks



permission to withdraw the present Appeal with liberty to the parties that they shall make an endeavour to settle the matter in Mediation.

6. In view of the submissions made, the Appeal is permitted to be withdrawn and the parties may avail the opportunity of settling through Mediation.

7. The Appeal is disposed of accordingly. The pending Applications, if any, also stand disposed of.

NEENA BANSAL KRISHNA, J

JANUARY 16, 2026/RS