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

% *Date of Decision: 09th May, 2025*

+ CM(M) 879/2025 & CM APPL. 28294-28295/2025

SHRI KRISHAN KUMAR JAIN (DECEASED THROUGH LRS)
AND ORSPetitioners

Through: Mr. Yogendra Kumar and Mr. Rohit
Yadav, Advocates.

versus

SMT ALKA JAIN & ORS.Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioners challenge order dated 27.01.2025 whereby they have been granted conditional leave to defend the suit in question.
2. As per the impugned order, they have been directed to deposit a sum of Rs.1 crore in shape of FDR within two months.
3. Such impugned order is dated 27.01.2025 and, it is not, appropriately, explained as to why there is delay in filing the present petition.
4. However, learned counsel for the petitioner, in all fairness, also submits that since the abovesaid condition could not be complied with by the petitioners, the learned Trial Court has already passed a decree on 16.04.2025 and they are contemplating challenging the same. During course of the proceedings, copy of such order has also been shown, which is taken on record.
5. In view of the above, the present petition is disposed of with liberty to the petitioner to challenge the abovesaid decree by filing appeal before



appropriate Court.

6. Needless to say, as and when any such appeal is filed, the petitioner would also be at liberty to challenge order dated 27.01.2025 therein.
7. The petition stands disposed of in aforesaid terms.
8. Pending applications, if any, also stand disposed of.

(MANOJ JAIN)
JUDGE

MAY 9, 2025
st/pb