

03.08.2026

Present: Mr. Jatin Bisht, Ld. counsel for DH with DH.  
Ld. counsel for JD through VC.  
None for objector/Mamun Nisha.

**IA no. 1/26 (objections u/s 47 CPC by objector/Mamun Nisha) along with**  
**IA no. 2/26 (seeking stay to the execution proceedings).**

1. Objector claims that property bearing no. 112/3, Street No. 2, Near Anar Mandir, Old Mustafabad, North East, Delhi-110094 is the property of the objector and therefore, no execution can be take out against the said property. She claims that JD Rizwana is her daughter and she is living at her undisclosed matrimonial house due to security reasons.
2. JD Rizwana has herself filed an affidavit claiming that she is living at the above address only.
3. Thus, a bare perusal of file shows that the application filed by objector/Mamun Nisha (mother of JD) is in contradiction to the affidavit of JD filed today.
4. With respect to the contention of objector that objector is the sole owner of the above described house, my attention was drawn to a notarized relinquishment deed dated 20.07.2013 as per which five daughters of objector/Mamun Nisha purportedly relinquished their share in the above property to objector.

5. Since the said document is a notarized document, no right, title or interest in the immovable property can flow by way of the said document from its executors (which includes the JD/Rizwana) to the objector/Mamun Nisha. In fact, the said document essentially shows that JD/Rizwana has a interest in the above described property and therefore, her claim that she does not have any assets (as per her affidavit filed today) is an incorrect assertion.
6. Suffice is to say that the objector Mamun Nisha cannot rely upon an unregistered relinquishment deed dated 20.07.2013 to claim that she is the sole owner of the above property. Thus, there is no merit in the objections filed. They are dismissed. As a consequence, stay application become infructuous. The application is also dismissed.
7. Let fresh warrants of attachment qua the above immovable asset i.e. property bearing no. 112/3, Street No. 2, Near Anar Mandir, Old Mustafabad, North East, Delhi-110094 of JD (to the extent of her share there) be issued on filing of PF returnable for 06.10.2026. Let publicity to the said attachment be given by beat of drums on filing of requisite charges. Let affixation be also carried out outside the court house as well as at the said property.
8. List before Ld. ACJ for appointment of bailiff on 12.08.2026.

AASHISH GUPTA  
DJ-01/NE/KKD/DELHI  
03.08.2026