

24.09.2024

Present: Sh Parakshit Mahipal Ld Counsel for non applicant.
Sh S C Pandey Ld Counsel for applicant.

Ld counsel for the non applicant i.e. PNB submits that he has filed his objections to the present application seeking release of the original title documents as filed by the applicant/guarantor of the loan. It is submitted on behalf of the non applicant the execution petition seeking the execution of the decree was dismissed for non prosecution in the year 2019 and the non applicant is in the process of taking steps for restoration of the said execution petition. It is further submitted on behalf of the non applicants that they are yet to recover the full amount of the loan and in the absence of the same the title documents sought to be released be not released. However it has been submitted on behalf of the non applicant that the decree and judgment was passed in the year 2004.

Keeping in view the fact that the 12 years period from the date of passing of the judgment and decree have already expired and also the statutory period of time in getting the execution petition restored already stands expired it is inquired from Ld counsel for the non applicant as to under what provision of law an objection to the release of the document can be entertained by the court given the fact that the execution petition has already become time barred.

Re-notify the matter for further proceedings on **28.01.2025**.

(Sachin Sood)
DJ-01 (Central)
THC, Delhi/24.09.2024