

19.09.2025

Present: Mr. Sona Ram Gupta, Ld. Counsel for the decree holder
alongwith decree holder in person.
JD in person.

An application u/o 21 Rule 38 of CPC for arrest of judgment debtor and an application u/s 151 CPC for permission to deposit subsistence allowance have been filed by the decree holder.

Order 21 Rule 37 of CPC provides that before issuing warrants of arrest, the Court is required to give notice to the judgment debtor to show cause why he be not committed to civil prison.

In view of this provision, judgment debtor is granted an opportunity to show cause why he be not committed to civil prison.

Affidavit of assets and liabilities has been filed by the judgment debtor.

Ld. Counsel for decree holder submits that the judgment debtor has filed a false affidavit and is concealing the movable assets that are available at his residence. He requests that warrants for attachment of movable assets be issued. He states that the judgment debtor owns the articles mentioned in the list filed alongwith the execution petition.

He also requests that direction be given to police to render assistance for execution of warrants.

Record is perused.

Unless the bailiff visits the residence of the Judgment debtor, it cannot be ascertained if the articles mentioned in the list filed the decree holder are not available at the residence of the Judgment debtor.

On filing of process fee, issue warrants of attachment of the movable assets mentioned in the list filed alongwith the execution petition.

The concerned SHO is directed to render assistance to the bailiff for execution of warrants. The SHO shall ensure that no resistance is put to the execution of the warrants. Endorsement to this effect be made on the warrants.

To come up before the Ld. ACJ for appointment of bailiff on 25.09.2025 and before this Court on 30.10.2025.

(Shirish Aggarwal)
District Judge-03
East District, KKD Courts,
Delhi, 19.09.2025