

Roop Kumari Now Deceased Through LR Sh Bhushan Kumar Vs. Vasudev  
10.12.2025

Present: LR Sh. Bhushan Kumar with Ld. Counsel Sh. Tarun Diwan.  
Judgment debtor with his son Mr. Amit Singh and Ld.  
Counsel Sh. Rajeev Kumar Rai.

DH filed two applications u/s 151 of CPC, one for seeking appropriate directions for removal of superstructure from the suit property and another for direction for disconnection of electricity and water connection from the suit property. Copies supplied.

Ld. Counsel for judgment debtor submitted that JD is ready to give his undertaking on affidavit to the effect that he will vacate the suit property (except first floor) on or before 30.04.2026 and will deposit the key in Court on or before the said date. He filed his affidavit. He further submitted that DH be directed to not to press his contempt before Hon'ble High Court of Delhi if JD fulfill his undertaking and regularized the sale of the first floor of the suit property to the owner of said floor.

Ld. Counsel for DH submitted that undertaking of JD be taken on record. However, as regards to the contempt petition, LR of DH will take humanitarian approach if they will get the possession of the suit property peacefully and without any hindrance and further he will consider the proposal for regularization of the sale of the first floor of the suit property.

Statement of JD is recorded qua his undertaking given by him by filing an affidavit.

At this stage, Ld. Counsel for the JD submitted that JD has given his aforesaid undertaking when DH will regularize the sale of the first floor of the suit property and also not press his contempt before Hon'ble

High Court of Delhi and if he is not ready for same JD wants to withdraw his affidavit of his undertaking.

Ld. Counsel for decree holder submitted that earlier DH was ready to regularize the sale of the first floor of the suit property but now he is not ready for the said term.

Ld. Counsel for judgment debtor submitted that JD wants to withdraw his affidavit of undertaking.

In view of above, JD is allowed to do so.

It is noted that application of the DH for taking the fresh site plan on record is pending disposal. Reply has not been filed on behalf of the JD till date. One more opportunity is given to the JD to file the reply.

Let reply be filed within 15 days with advance copy to the other side.

It is further noted that objections of JD u/o 21 Rule 35 (3), Rule 97 r/w section 151 of CPC is also pending for disposal.

Ld. Counsel for DH submitted that DH does not wish to file reply to the said objection and ready to argue the same.

DH is at liberty to file the reply to the application which has been filed today.

Put up for arguments on application to bring on record the fresh site plan and objection of JD for 21.01.2026.

(Ravinder Singh-I)  
District Judge-03  
East District, KKD Courts,  
Delhi, 10.12.2025