

12.05.2026

Present: Sh. Dileep Kumar Suryavanshi and Sh. A.R. Regmi, Ld.
Counsels for the decree holder.
Sh. Harjeet Narang, Ld. Counsel for the Objector.

1. Arguments heard on the objections of applicant/objector Ms. Vibha Jain filed u/s 47 r/w Order XXI Rule 58, 97, 101 r/w section 151 of CPC. Case file perused.

2. The applicant/objector in her objections stated that the present execution petition filed in respect of judgment and decree dated 06.07.2019 which is passed against Amit Jain only, the JD no.1 who is the husband of the applicant/objector. Further, applicant/objector stated that decree holder with malafide and deliberate intention has impleaded her as JD no.2 in the present execution petition. In spite of the fact that she was never a party to the suit, so, decree cannot be executed against her. Hence, she prayed for deletion of her name from the array of the parties.

3. Decree holder contested the objections and filed the reply stating therein that original decree was passed against JD no.1 whereas the objector is linked to the financial affair and assets of JD no.1, a fact conclusively proven by her conduct on 21.08.2025 when she voluntarily

issued cheque for an amount of Rs.7,24,959/- from the joint account to discharge the liability of the JD no.1 i.e. her husband. Hence, she is also a necessary party for the satisfaction of the decree. Accordingly, prayed for dismissal of the application.

4. It is admitted fact and not in dispute that decree holder filed a suit for recovery of Rs.23,25,000/- against Amit Jain, the JD no.1 and suit was decreed vide judgment and decree dated 07.06.2019. The applicant/objector Vibha Jain is not the party to the suit so the decree dated 07.06.2019 is not against applicant/objector. Since no decree has been passed against applicant/objector hence, decree cannot be executed against her. Accordingly, her name is deleted from the array of the parties. The aforesaid objections is disposed off as allowed.

5. Decree holder is directed to file the amended memo of parties and fresh particular of the JD no.1 for execution of the decree.

6. List this matter for 16.07.2026.

(Ravinder Singh-I)
District Judge-03
East District, KKD Courts,
Delhi, 12.05.2026