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EX. No. 97/23

BABU RAM Vs. RAM AVTAR TYAGI

22.03.2024

Present : Sh. Rajesh Kumar, Ld. Counsel for the DH
alongwith DH.
None for the JD.

Report of Bailiff Seen. As per the report of the Bailiff during the execution of the warrant of attachment, JD and DH had entered into a settlement as per which the DH and JD agreed to settle the decree for Rs. 8 lakhs, and in view of the settlement JD paid Rs. 50,000/- in cash to the DH and also gave a cheque of Rs. 50,000/-. JD also agreed to make the payment of the remaining amount in installments of Rs. 1 lakh every month to be paid on 10th day of each calendar month.

The statements of DH and JD have also been placed on record along with the report of the Bailiff.

Ld. Counsel for the DH today in the Court submits that the cheque of Rs. 50000/- as given by the JD has been dishonoured. However, when the DH informed the JD about the dishonour of the cheque, JD paid Rs. 50,000/- to DH and so far DH has received Rs. 1 lakh from the JD towards the part satisfaction of the decretal amount.

It is further submitted by the Ld. Counsel for the DH that DH has not agreed to settle the decree for Rs. 8 lakhs and the statement which was made by the DH during the attachment proceedings were made out of ignorance.

In view of this, let the Court notice be issued to the concerned Bailiff to be present on the NDOH.

Put for further proceedings on **19.04.2024**.

(SOMITRA KUMAR)
ADJ-06, EAST/ KKD COURTS
DELHI/22.03.2024 (R)