

EX No. 23/25

MANOJ BHATIA Vs. ALANKIT HEALTHCARE TPA LTD

16.12.2025

Present: Ms. Medhavi Gogia, Ld. Counsel for DH.
Mr. Abhishek Kumar, Ld. Counsel for JD through
VC.

Arguments on the objections filed by JD heard.

To come up for clarifications, if any/orders at 4 pm.

(Meenu Kaushik)
District Judge-03
Patiala House Courts, New Delhi
16.12.2025

At 4 pm

Present: None.

By way of this order, I shall dispose of the objections filed by the JD.

Arguments on the objections have already been heard.

Record perused.

It is submitted by Ld. Counsel for JD that vide judgment dated 23.12.2019 Ld. ADJ had decreed the suit in favour of DH for amount of Rs. 7,05,970/- along with the interest at the rate of 9% per annum. It is further stated that DH had suppressed/concealed the vital facts from the court that respondent had lodged a police complaint on 19.12.2013 against

Contd...2/-

two of its employees including the DH for their aggressive, insulting and demeaning behaviour. It is further stated that the decretal amount include the gratuity payable u/s 3 of the Payment of Gratuity Act, 1972 and the controlling authority has the exclusive jurisdiction to adjudicate such matters. It is further stated that no cogent and sustainable proof in support of the damages claimed by the DH were adduced and that he had no cause of action against the JD. It is further stated that the judgment debtor on 06.10.2013 without any information voluntarily and deliberately abandoned his employment with the JD company without seeking any NOC. It is further submitted that considering the contentions raised on behalf of JD in the objections, present execution petition be dismissed.

Per contra, it is submitted on behalf of DH that present objections are wholly misconceived and is an abuse of process of law. It is further stated that by way of these objections, JD has attempted to relitigate the concluded suit. It is further submitted that the objections filed by JD were earlier decided by the Ld. DJ, Central District, Delhi and hence the JD cannot be allowed to file the objections one after another just to delay the proceedings.

Submissions made on behalf of both the parties are taken into consideration. Record perused.

The present execution petition is received by way of transfer from the Central District, Tis Hazari Court.

The objections filed by the JD are in the form of appeal. Being executing court, the court has limited powers and

cannot go behind the decree to rehear the matter and to decide the question of its correctness. As per settled law, the executing court must take the decree as it stands and execute it and it cannot entertain the objections that the decree was factually or legally wrong.

In view of above, the present objections filed by the JD in the form of appeal stands disposed of as dismissed.

Put up for filing of list of assets of the JD by the DH on 26.12.2025.

(Meenu Kaushik)
District Judge-03
Patiala House Courts, New Delhi
16.12.2025