

05.05.2026

Present: Mr. Parth Bhardwaj, ld. counsel for applicant.
None for non applicant.

An application for restoration of present execution petition is moved on behalf of DH.

Submissions heard. Record perused.

Vide order dt. 27.03.2026, the present execution petition was disposed of as dismissed in default since no one appeared for DH. It is submitted by ld. counsel for DH that on the afore-mentioned date since he was not in the town, he could not appear in the court. It is further submitted that non appearance of DH nor his counsel is neither intentional nor deliberate, and in the interest of justice, present application for restoration of the execution petition be allowed, as otherwise DH shall suffer irreparable loss.

Considering the submissions and in the interest of justice, present application is allowed and present execution petition is restored to its original number and petition.

Today, one application of attachment of property of JD is moved. As per the list, the properties are situated at Greater Noida. Ld. Counsel for DH submitted that since properties of JD are situated out of jurisdiction of this court, transfer certificate may be issued.

In view of the fact that this Court does not have the territorial jurisdiction to execute the decree in question against the JD whose properties are situated beyond the territorial jurisdiction of this Court, therefore, Transfer Certificate as per

Order XXI Rule 6 CPC may be issued with respect to the Decree, so that the same may be filed before the Learned Jurisdictional Court.

It is noted that no decretal amount has been recovered in this Execution Petition in this Court.

Transfer Certificate be issued as per rules. After due compliance, present file be consigned to record room.

(Meenu Kaushik)
District Judge-03
Patiala House Courts, New Delhi
05.05.2026