

01.07.2024

Present: Ld. Counsel for decree holder with decree holder.
Ld. LAC Ms. Priyanka Aggarwal for JD.

As per Counsel for DH, JD has paid Rs. 3000/- to the JD. Counsel for JD is not allowing the Court to pass an order. She is requested to at least allow the Court to proceed with the order. She is again not allowing the Court to pass an order and she is continuously arguing with the bench. She is again requested to allow the Court to pass an order.

In this case, after the initial decree, parties agreed to settle for a lump sum amount of Rs. 2,55,000/- which should have been cleared by 07.06.2024. Admittedly, only Rs. 1 Lac were cleared by the JD before this date. Today, when the Court asked the Counsel for the JD to ask the JD to pay the money, it was informed that in two separate tranches of Rs. 3000/- and Rs. 2000/-, money was paid to decree holder. But as per DH he has received only Rs. 3000/-. As per Counsel for JD, due to some technical difficulty, money may not have been credited in the account of DH. It is for the JD to ensure payment and thus, if the money has not been credited in the account of DH, it is for the JD to find out from his banking channels about the technical difficulty. Thus, as on date it is clarified, only Rs. 3000/- have been paid to the DH (apart from 1 Lac).

Counsel for DH on instructions submit that since the JD has not abided by the schedule of payment, DH wants that the

decree should be executed as a whole. He has also moved an application for issuance of warrants of attachment against the JD in this regard.

Let warrants of attachment be issued against the JD on filing of PF, returnable for 06.08.2024. List before Ld. ACJ for appointment of bailiff on 06.07.2024.

Aashish Gupta
DJ-01/NE/KKD/DELHI
01.07.2024