

23.09.2024

Present: Ld. counsel for DH.
None for JD despite repeated calls.

DH has moved an application for seeking execution by way of arrest of the JDs on the ground that the JDs have stone-walled the execution in this case till date. The same is evident from the fact that despite repeated orders and opportunities, the JDs have not appeared before the court or paid earlier cost or filed their affidavit of assets. In this regard, reference can be had to order dated 07.09.2024, 13.09.2024 and 21.09.2024 when counsel for JDs appeared and sought time for compliance of court orders.

In such circumstances, it appears that the JDs are willfully stone-walling the decree. Considering the above, there is no necessity of issuing notice of the present application in light of Order XXI Rule 37 (1) proviso CPC. Since JD no. 1 is a female, no orders of arrest can be issued against her. As far as JD no. 2 is concerned, let warrants of arrest be issued against him on filing of PF. Application is disposed off. Let warrants of arrest be executed through DCP concerned.

List on 09.10.2024.

AASHISH GUPTA
DJ-01/NE/KKD/DELHI
23.09.2024