

31.05.2024

Present: Ms. Priyanka Agarwal, Ld. LAC for decree holder alongwith  
decree holder.  
Ld. Counsel for judgment debtor.

JD has not appeared despite directions.

Counsel for JD submits that JD shall appear at 2:00 PM. Let  
the same be done.

Aashish Gupta  
DJ-01/NE/KKD/DELHI  
31.05.2024

At 2:40 PM

Present: Ms. Priyanka Agarwal, Ld. LAC for decree holder alongwith  
decree holder.  
Ld. Counsel for judgment debtor alongwith judgment debtor.

During the course of hearing it transpires that the JD has  
changed his address and has never informed this Court about the same.  
Multiple attempts have been made to execute warrants of attachment and  
even warrants of arrest were issued against him.

Before this Court, JD appears to be carrying a phone which  
on first glance appears to be having substantial value. On inquiry, he  
admits that his phone is of make VIVO and he purchased it for a sum of  
Rs. 29,000/-. He had paid Rs. 50,000/- on the last date of hearing as part  
payment of decree. It does not appear that the JD is a pauper and in fact,  
from general query, JD appears to be aware of the decree and his liability  
to pay and even appears to be sufficiently able to pay. This is especially

on account of the fact that JD appears to be carrying a high end phone and did pay Rs. 50,000/- on last date.

If that be the case, it is a case where JD is intentionally avoiding execution of decree. At this stage, fresh address of JD is filed which is not supported by any document.

JD is directed to file an affidavit of assets including any property transfers that he may have effected since the filing of the suit till date. He shall also file an affidavit detailing all his bank accounts/loans/land owned by him in Delhi or otherwise. He shall remain present in Court personally on next date of hearing.

At this stage, JD has paid a sum of Rs. 1600/- in cash to the decree holder. Another sum of Rs. 15,000/- is paid at this stage by the Counsel for the JD to the Counsel for the decree holder through online mode and she undertakes to pay the same to the decree holder.

To come up for filing of the aforesaid affidavit within one week from today.

List on 07.06.2024.

Aashish Gupta  
DJ-01/NE/KKD/DELHI  
31.05.2024