

02.06.2025

Present: Daughter of DH in person with Mr. Atul Sharma, LAC
for DH.
JD in person.

1. JD has paid Rs. 3000/- in cash to daughter of decree holder. Signatures of daughter of DH in this regard is taken on the last order-sheet.
2. As per Nazir report, a sum of over Rs. 4 lac is due and payable by JD to DH and it is pointed out by the Counsel for DH that if the JD continues to pay under the decree in the manner he is paying till date, it shall take over a decade for the decree to be executed. It is argued that JD has sufficient funds to satisfy the decree and had made a statement in Court whereby he agreed to pay Rs. 40,000/- per month. This shows that despite having funds, JD is not paying the decree holder.
3. Counsel for DH thus prays that the only way forward is by sending the JD to Civil Prison. On the other hand, JD claims that presently he has no work and therefore, he seeks time to pay under the decree.
4. Record reveals that it was only after coercive steps were taken against the JD that JD started making some payment under the decree. Thus, considering the conduct of the JD and also keeping in mind the statement given by JD in Court, it appears

that JD despite having funds is not making payment under the decree.

5. Considering the above, let a fresh show-cause notice be given to JD U/O 21 Rule 37 CPC to explain why he be not arrested in connection of this decree.
6. List on 04.07.2025. JD to remain physically present in Court on next date of hearing.

Aashish Gupta
DJ-01/NE/KKD/DELHI
02.06.2025