

02.09.2025

Present: Ld. Counsel for decree holder with decree holder.
Mr. Puneet Kumar Saxena, Ld. Counsel for JD No. 3 and
JD No. 4.
Sh. Girish, official from SDM Office, Yamuna Vihar,
Delhi in person.

1. Warrants of attachment sent earlier have come back duly executed.
2. Mr. Puneet Kumar while addressing the Court is also fiddling with his phone. He is directed to either address the Court or take the call which is coming on his phone. I place on record my displeasure in the manner in which submissions are being made while handling a phone by the Counsel.
3. At this stage, Counsel for JDs has tendered his apology which is duly noted.
4. Two additional affidavit of assets have been filed by JD No. 3 and JD No. 4 today specifying the area of land under their ownership. But, they have again not specified as to whether the said land is agricultural or residential in nature or whether any house and its area built thereupon is mentioned in the affidavit. This is the umpteenth opportunity given to the JDs to come clean on the assets being owned by them and on one ground or the other there is either non-compliance or partial compliance of court orders. This is despite the fact that a direction has already been given in this regard by the Hon'ble High Court of Delhi in CMM No. 1327/25 vide order dated 23.07.2025.

5. JDs are once again directed to file a proper detailed affidavit with photographs of the property qua which they claim ownership with clear details as to whether the land being claimed by them as their own is agricultural land or otherwise and the status of construction thereupon.
6. On the last date, Counsel for JD No. 3 and 4 had taken time to seek clarification from the Hon'ble High Court of Delhi in terms of facts recorded in para 6 to 8 of order dated 08.08.2025. On Court query, Counsel initially did not specify as to whether any clarification application has been moved till date or not. It was only after repeated requests that Counsel for JD No. 3/JD No. 4 claimed that such an application shall be filed today.
7. Since, vide order dated 23.07.2025 passed by the Hon'ble High Court of Delhi in CMM No. 1327/25, JD was directed to deposit **50% of the decretal amount within two weeks from 23.07.2025, JDs were duty bound to comply with the said order.**
8. Since, the JDs have failed to comply with the aforesaid order passed by the Hon'ble High Court of Delhi, it has to be taken that there was no stay to the attachment proceedings.
9. Sh. Girish has appeared from the office of SDM Yamuna Vihar and has filed a report that in terms of the earlier order passed by this Court on 03.07.2025, the property of the JDs have been attached. The same is taken on record.
10. Counsel for JD No. 3 and JD No. 4 has moved additional objections in this case alongwith photocopy of a MOU dated 09.02.2012 and prays that said additional objections should be

decided with the other objections pending on the case file. Copy supplied.

11. Perusal of case file shows that the earlier objections preferred by JD No. 3 and JD No. 4 on 16.01.2025 have already been dismissed by this Court vide order dated 28.03.2025 and as such, the contention of Counsel for JDs that this Court had not decided the earlier objections is factually incorrect.

12. Let reply if any, be filed to the additional objections filed today.

13. List for arguments on the aforesaid objections and further proceedings on 12.11.2025.

Aashish Gupta
DJ-01/NE/KKD/DELHI
02.09.2025