

10 EXECUTION

CIVIL 188/25 Ram Kumar Jamuniya Vs. Madan Lal Chander

12.12.2025

Present : DH in person.
Sh. Randeep Singh, Ld. Counsel for JD no. 1 with JD no. 1.

An application under Section 151 of CPC filed on behalf of JD no. 1 is pending. Copy is supplied.

DH submits that he is prepared for arguments on the application. He submits that the application may be decided today itself.

At his request, the application is taken up for arguments.

Ld. Counsel for applicant/JD no. 1 has contended that the decree has been obtained fraudulently by the DH who is an advocate; that the JD was not given an opportunity to defend himself; that the entire suit was decided in about three effective dates of hearing; that the address of the JD no. 1, which was mentioned in the suit, was incorrect; that the property in question is in the possession of JD no. 1 since 23 years and all original documents are with JD no. 1; that the Conveyance Deed of this property was obtained by JD no. 2 in connivance with DH; that he has filed an application under Order 9 Rule 13 of CPC which is pending.

DH who is present in person has contended that JD no. 2 is allottee of the suit property; that JD has not filed any record in support of his ownership of the suit property; that JD no. 1 is claiming this property as benami; that the JD no. 2 registered an FIR for having misplaced the original documents and the same has been filed during trial of the case.

Having regard to the averments made in the application, in my opinion, it is good ground for stay of the execution proceedings till disposal of the application under Order 9 Rule 13 of CPC. In view thereof, the

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application is allowed and the execution proceedings are stayed till disposal of application under Order 9 Rule 13 of CPC.

Renotify on 20.03.2026.

Copy of this order be given dasti to DH, as prayed.

(Ashish Aggarwal)
District Judge-III
North-West District,
Rohini Courts, Delhi
12.12.2025