

17 EX 117/23 INDRA ARORA THROUGH SPA HOLDER Vs.
M DUMON POWER AND INFRASTRUCTURE PVT LTD

05.08.2025

Present: Sh. Rajeev Kumar Ghawana, Ld. Counsel for DH.
None for JD.

1. An application under order I rule 10 CPC for impleadment of Managing Director of JD as JD no. 2 is pending.
2. Arguments have already been advanced.
3. On a perusal of record, it is reveal that initially the execution was filed against the JD with address shown as the address of the counsel for the JD and no address of the JD was depicted in the execution. Even in the details of the person against whom execution was sought, the address was shown as the address of the advocate of JD.
4. Initially the execution was filed for execution of order dated 30.04.2022 passed on an application under order XXXIX rule 10 CPC read with order XV-A CPC. Thereafter, the DH moved an application under order VI rule 17 CPC for amendment in the execution petition by incorporating the final judgment in decree dated 31.07.2023. The said application was allowed vide order dated 21.10.2023 and the amended execution petition was taken on record.
5. As per the amended execution petition and the amended memo of parties, the address of the JD is shown of Patna, Bihar. In the details of the person against whom execution was sought, the address was shown of Patna, Bihar.

6. Thus, the address of the JD against whom the execution was sought is not in the territorial jurisdiction of this court.

7. As neither the address of the JD nor any assets mentioned in the amended execution petition are in the jurisdiction of this court, no effective order can be passed by this court for the satisfaction of the decree sought to be executed.

8. In view of the same, Ld. Counsel for the DH is requested to address that how this court can proceed with this execution when neither the address of the JD nor any assets are shown to be in the jurisdiction of this court and the DH has himself given the address of the JD in Bihar.

9. List for arguments on this aspect on **02.09.2025**.

(Rahul Bhatia)
DJ-01 (South East) Saket Court
New Delhi/05.08.2025