

5EX113/19

MANOJ KUMAR KHANDELWAL Vs. YOGESH KUMAR
SHARMA

13.10.2023

Present : Sh. Shivam Garg, Ld. Counsel for DH.
JD in person.

Today, JD has appeared in response to show cause notice issued under Order XXI Rule 38 CPC.

Ld. Counsel for DH submits that this is an old execution petition from 2019 and the payment has yet not been recovered. He further submits that JD on one pretext or the other is avoiding payment of decretal amount in the present case.

On perusal of record, it becomes clear that on 22.07.2019, warrants of arrest were issued against JD. However, the same were stayed vide order dated 07.09.2019. The matter has been listed regularly from that date but no payment has been received.

JD submits that he is not in a position to pay the decretal amount.

Ld. Counsel for DH submits that pursuant to order dated 22.07.2019, he had paid the amount of Rs.2000/- towards subsistence allowance.

Let report be called from the Nazarat Branch whether the said amount is still deposited.

List for report from Nazarat Branch and further proceedings **for 27.10.2023.**

(Rahul Bhatia)
ADJ-01 (South East) Saket Court
New Delhi/13.10.2023 (vg)