

8 MISC DJ 407/22

COMPLIANCE @ SUNAINA Vs. AMIR AND ORS.

03.09.2024

Present:- Proxy counsel for the DH/petitioner.
Sh. Laxmi Kant, Patwari from SDM Office Mayur
Vihar, Delhi.

Matter is passed over till 11.00 a.m.

(Vijay Kumar Jha)
PO (MACT-01)/SHD/Delhi
03.09.2024

At 11.18 a.m.

Present:- Sh. Amit Kumar Singh, Ld. counsel for the
DH/petitioner.
Sh. Laxmi Kant, Patwari from SDM Office Mayur
Vihar, Delhi.
JD No.2, namely, Islamuddin in person.

On behalf of Tehsildar, SDM Office Mayur Vihar,
Delhi report has been filed. In the report *inter alia* it has been
stated that both the parties are in mediation to resolve the issue as
soon as possible.

Ld. Counsel for DH/petitioner has submitted that the
parties to the present execution petition are not under any
mediation settlement. As per para 16 of the judgment dated
19.04.2022 the liability of respondents/JD No.1&2, namely Amir
and Islamuddin are joint and several. The implication of the
same is that the entire Award amount can be recovered from one
of the JDs/respondents i.e. either respondent no.1 or respondent
no.2.

As per the report filed on behalf of Tehsildar, SDM Office Mayur Vihar, Delhi the property of respondent/JD no.2, namely Islamuddin is under attachment since last more than one year. The Tribunal is of the opinion that the said property can be sold in accordance with law to recover the Award amount. Accordingly, the concerned SDM is directed to initiate the sale proceedings of the property of respondent no.2 to recover the Award amount and transmit the same to this Tribunal as expeditiously as possible.

Put up for further proceedings on **14.11.2024**.

Copy of order be given dasti.

(Vijay Kumar Jha)
PO (MACT-01)/SHD/Delhi
03.09.2024