

01.09.2025

Present : Sh. Ramesh Chand Gupta Ld. Counsel for
applicant/defendant.
Ms. Poonam Ld. Proxy counsel for Sh. M.R.
Chanchal Ld. Counsel for respondent with
respondent.

Notice issued to respondent received back unserved
with the report 'premises found locked'.

RC received back with report 'no such person at
given address'.

Since respondent a/w counsel has appeared without
service of notice, therefore, the proceeding qua his service is
hereby dispensed with.

Reply to the present application a/w reply to the
application u/s 151 CPC filed. Same be taken on record. Copy
supplied.

At this stage, Ld. Proxy counsel for respondent
submits that the respondent has recently received the copy of
petition filed by defendant before the Hon'ble Delhi High
Court, in respect of judgment and decree dated 20.11.2019.
On the other hand, Ld. Counsel for applicant / defendant fairly
submits that the same is lying under objection and not listed
for hearing. Heard. Applicant / defendant is directed to file the
affidavit in this regard within four weeks with an advance
copy to the opposite party.

During the course of hearing, Ld. counsel for
applicant / defendant submits that the applicant/defendant, in

order to show his bonafide is ready and willing to deposit a sum of Rs. 2.50 Lacs within four weeks before this Court. He further prays for stay of operation of execution proceedings as well ex-parte judgment and decree dated 20.11.2019.

On the other hand, Ld. Proxy counsel for respondent, on instructions, submits that without prejudice the right and contentions, she has no objection to the aforesaid submissions made by Ld. Counsel for applicant/defendant.

Submissions heard. Record perused.

In view of the above submissions and the no objection given by Ld. Proxy counsel for respondent, the applicant / defendant is directed to deposit a sum of Rs. 2.50 Lacs in the form of FDR with the nationalized bank in auto-renewal mode, in the name of this Court, within four weeks. Subject to deposit of such amount, the execution proceedings as well as operation of judgment and decree dated 20.11.2019, shall remain stayed till NDOH. It is made clear that in case of non-compliance of aforesaid condition, within the stipulated period, the stay granted by this Court shall not survive and shall stand automatically vacated and the Execution Court shall proceed in accordance with law.

Copy be given dasti to parties. Copy of the order be also sent to concerned Execution Court for information.

Put up for compliance and arguments on present applicaton on 20.11.2025.

(Gaurav)
District Judge-01/ SHD
KKD/Delhi/01.09.2025_(ch)