

16 EX CIVIL 305/23 SANDEEP SINGH Vs. SAHAB SINGH

02.09.2024

Present: Sh. Anil Kumar, Ld. Counsel for DH along with DH.  
None for JD.

Notice duly served upon branch manager Yes Bank in terms of last order, however, none appeared on behalf of Yes Bank. In view thereof issue show cause to concerned Branch Manager for NDOH.

At this stage, Ld. Counsel for DH submits that since JD has already breached mediation settlement he may be permitted to file appropriate application for attachment of other movable or immovable property of JD. Heard. Allowed.

Application for modification of order dated 26.04.2024 and 10.07.2024 filed on behalf of DH. It is submitted that there was some typographical error in the mediation settlement order dated 12.04.2024 which caused mentioning of wrong amount in ordersheet dated 26.04.2024 and 10.07.2024. It is further submitted that DH has filed present execution petition for recovery of Rs. 9,36,480/- along with further interest @ 6% per annum w.e.f. 01.10.2023 but due to some inadvertent mistake settlement order specified amount of Rs. 8,48,000/-. Lastly it is submitted that as on date Rs. 8,38,437/- is outstanding against JD.

Submissions heard.

Considering the facts and circumstance of the present case as well as submission made by DH, present application stands allowed. It is clarified that parties have settled their dispute for Rs. 9,58,213/- out of which Rs. 1,19,776/- is paid by JD till date and Rs. 8,38,437/- is still pending against JD. Nazir is directed to mention corrected due amount on show cause notice / warrant of attachment accordingly.

Put up for further proceedings on **01.11.2024**.

(SHILPI M JAIN)  
DJ-05 (SW)/Dwarka Courts  
New Delhi: 02.09.2024