

EX CIVIL 767/2018
SANJAY KUMR PANDEY VS. SHYAM SUNDER VOHRA

23.05.2026

Present: None.

ORDER

1. In the present case, the attachment warrants of the estate of the JD, namely, Late Shyam Sunder Vohra, were issued. Further, vide order dated 24.01.2020, the LR's of deceased JD were directed to file affidavit of assets in terms of the decision in *M/s Bhandari Engineers & Builders Pvt. Ltd. Vs. M/s Maharaj Raj Joint Venture & Ors*, Ex.P. 275/2012 decided on 11.01.2016. Thereafter, the affidavit filed by the LR's were being disputed by the DH. LR's of the deceased JD were subjected to extensive cross examination for discovering how they had benefited from the estate of the deceased. DH chose not to step in the witness box to depose about any asset within his knowledge.

2. I have perused the record.

3. The cross examination of the LR's of JD, namely, Ms. Madhu Vohra, widow of Late Shyam Sunder Vohra and Ms. Mahima Vohra, daughter of Late Shyam Sunder Vohra, has been perused.

4. Nothing has come on record even from the bank statement of the said LR's and the cross examination. The DH has not been able to show that the LR's of JD received any amount from the estate of the deceased, other than, what is disclosed in the affidavit.

5. Accordingly, except to the extent of the goods, which have been attached and auctioned vide orders dated 10.11.2023 and 12.01.2024, there is nothing else, which the court can attach. The court

has to conclude that the LRs of the JD have not benefited from the estate of the JD and the execution petition cannot be continued against them.

6. Therefore, recording partial satisfaction of the decree, the execution petition is hereby disposed off, leaving the DH with liberty to file fresh execution petition, if DH discovers that the JD had left behind any estate, which was not within the knowledge or has been concealed by the LRs.

7. File be consigned to Record Room.

(HARJYOT SINGH BHALLA)
DJ-03, SOUTH-WEST, DWARKA
NEW DELHI/23.05.2026