

EX 318/20

BSES RAJDHANI POWER LTD Vs. SANJAY

12.12.2025

Present: Sh. Vikram Singh, Ld proxy counsel for DH.

None for JD.

Heard.

Perusal of record shows that application u/s 51 and 55 r/w Section 151 CPC has been moved on behalf of DH, however, despite opportunity, reply of the same has not been filed by JD. Perusal of record shows that arguments were heard on said application on 07.11.2025, however, due to inadvertence, in said ordersheet the application mentioned is only u/s 151 CPC. Same be read as application u/s 51 and 55 r/w Section 151 CPC.

Record perused.

In said application, it is submitted on behalf of DH that JD settled the electricity bill before permanent Lok Adalat, however, he has failed and neglected to abide by the terms of said Lok Adalat Award. It is submitted that JD is avoiding the recovery of decretal amount on one or other pretext. In view of said circumstances, request has been made for issuance of warrant of arrest of JD and his detention in Civil Prison for the purpose of execution of decree.

This Court is of the considered view that present award is regarding the payment of money and execution of said award or decree by detention of JD in Civil Prison can be ordered only under the

Contd/-

circumstances as mentioned in Proviso of Section 51 of the CPC, however, none of the such circumstances has been pleaded or proved by the DH. In these circumstances, decree cannot be executed by arrest and detention of JD in Civil Prison. Accordingly, this application is dismissed.

DH is at liberty to file list of properties of JD for the purpose of execution.

Matter be put up on 16.01.2026.

(Dharmender Singh)
District Judge-01(West)
Tis Hazari Courts, Delhi/12.12.2025