

23.05.2026

Present: Ld. counsel for DH with DH.
JD in person.

1. JD has refused to make any payment today. He submits that he has no source of income and whatever court may deem fit may be ordered. I may note that on 11.11.2025, a statement of JD was recorded in court wherein he undertook that he shall start paying Rs.50,000/- per month. Eventually, he resiled from the said claim to submit that the said statement was a slip of tongue.
2. Eventually, some payments were made under the decree and as on date, a sum of Rs.11,83,504/- is due and payable under the decree. Counsel for DH prays that the JD should be sent to civil imprisonment and he presses his application in this regard.
3. A show cause was given to the JD as to why he should not be sent to civil prison and in response he claims that he is not having means to pay. The decree in question was passed on 18.12.2024 and soon thereafter, on 03.01.2025, JD (as per his application moved for cancellation of his warrants of arrest issued earlier; with the said application already disposed off on 20.02.2026) transferred his immovable property in favour of his son who then took a loan of Rs.20 lacs against the said immovable property.
4. The conduct of the JD in approbating and reprobating on his earning capacity coupled with the fact that he transferred his immovable property to his son soon after the decree shows that JD not only has

the means to satisfy the decree, he is vigilant enough to take steps so that the assets are wasted to avoid execution of the decree.

5. JD is an able-bodied person and despite repeated directions to at least pay some money, he has categorically refused to pay anything. It appears that only to avoid and delay the payment under the decree, a plea of financial difficulty has been taken.
6. Considering the above, JD has failed to show cause as to why he should not be sent to civil imprisonment. Accordingly, he is arrested and sent to civil imprisonment till 08.06.2026. It is clarified that in case JD deposits the outstanding decretal amount, he shall be entitled to be released forthwith.
7. List on 08.06.2026. Copy of this order be sent to Jail Supdt. concerned for necessary information and compliance.

AASHISH GUPTA
DJ-01/NE/KKD/DELHI
23.05.2026