

Ex. No. 90/2024
Asha Chopra Vs.
Jay Narain Gupta & Anr.

07.04.2026

Present: DH with Ld. counsel Sh. V.S. Mishra.
Ms. Sumati Sharma & Ms. Himanshu Vij, Ld.
Counsels for JDs with JD-1.

The present execution is based on judgment and decree dated 12.02.2024 whereby an amount of Rs.31,00,000/- along with pendente-lite and future interest @ 12% per annum and cost of the suit, was awarded to plaintiff/ DH. In the execution approx. an amount of Rs.42.5 lakhs is shown to be recoverable by the DH from the JDs. After notice to them the JDs have appeared before the Court and from time to time certain amounts have been on their behalf to the DH towards decreetal amount. However, till date it has not been specified on behalf of the JDs as to within what time period the entire decreetal amount shall be paid to the DH. Even on number of occasions the JDs have failed to honour their commitment regarding payment of the amount quoted by them. In these circumstances, an application for seeking issuance of warrants of arrest against JD-1 was filed on behalf of the DH and vide order dated 21.02.2026, the warrants were directed to be issued against the JD-1 which remained unexecuted as at the relevant time the premises situated at the given addresses were found locked.

On enquiry, Ld. counsel for the JDs has stated that till date more than Rs.10,00,000/- have already been paid by the JDs to the DH. However, the JD-1 could not clearly specify as to

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within how much time the balance of decretal amount shall be paid to the DH.

Ld. counsel for the DH has urged that for recovery of the balance decretal amount coercive steps be taken against the JDs and the JD-1 be committed to civil imprisonment.

In view of above discussion, prima-facie it appears that instead of paying the decretal amount at once, the JDs have been paying part of the decretal amount as per their whims and fancies and that the JDs have been trying to impose their terms upon the DH in order to harass her. In these circumstances, the JD-1 is hereby directed to show cause as to why he should not be committed to civil imprisonment, to be replied by NDOH.

Put up for consideration/ F.P. on **18.04.2026**.

(GOPAL SINGH CHAUHAN)
DJ-03, WEST/DELHI
07.04.2026