

ARUN KUMAR AGGARWAL Vs. SUMAN TIWARI
(Main Matter : Civ DJ/0608280/2016)

20.01.2024

Present: Sh. Chander Mal, ld. counsel for the DH
Sh. Prabhat Sharma, bailiff in person.

Bailiff submits that ld. ACJ has directed to all the bailiffs to visit only once for the execution of Warrant of arrest and thereafter the ld. ACJ, West, does not give further authority to the bailiff to execute the W/A against the JD. In the opinion of the court, there is no need to obtain fresh W/A as the W/A issued by the court are valid till either it is executed or it is cancelled by the court.

In the present case the bailiff visited only once i.e. on 16.11.2023 and on the said date JD did not meet him at the address and thereafter bailiff did not visit the address of the JD for the arrest of JD. The date for execution of W/A was given 4.12.2023 and the bailiff was still having 15 days for the execution of the W/A. In view of the submission of the bailiff, he is discharged.

An application u/o 21 rule 13 & 54 CPC has been moved on behalf of the DH.

As per report of the Nazir, the property of the JD No. 1 has been attached.

Notice of application u/o 21 rule 37 CPC has been served upon the JD No. 2 on 15.12.2023.

Contd. 2

Let fresh notice of the application u/o 21 rule 13 & 54 CPC be issued to the JD No. 1 for settling the terms of the sale of the property on filing of PF/RC.

Be awaited for the appearance of JD no. 2 at 12:00 Noon.

(SHIV KUMAR)
ADJ-02, West Distt.Tis Hazari Courts
Delhi:20.01.2024

At 2.10 P.M

Present: None for the D.H

None has appeared on behalf of the JD no. 2 since morning.
Last opportunity is given to JD No. 2 to appear in person on the next date of hearing.

Put up on 09.04.2024 for further proceedings.

(SHIV KUMAR)
ADJ-02, West Distt.Tis Hazari Courts
Delhi:20.01.2024