

SATISH KUMAR BANSAL Vs. SUMAN TIWARI
(Main Matter : Civ DJ/0608474/2016)

18.09.2025

Present: Sh. Chandermal, Ld counsel for the DH.

The DH has filed an application under order 21 rule 13, 54 and rule 66 CPC for sale of property bearing no. P-1534, Gali no. 15, Baljeet Nagar, Punjabi Basti, New Delhi. The said property has been attached vide order dated 09.05.2023 and warrant of attachment of the said property has been returned executed as per order dated 04.12.2023.

Vide order dated 07.04.2025, this fact has come on record that the abovesaid property has been put on sale by way of public auction in another matter filed by son of the DH against the JD of the present execution.

In the execution petition titled “ Arun Kumar aggarwal Vs Suman Tiwari” bearing no. 643/2017, the abovesaid property has been directed to be sold out by way of public auction, vide order dated 28.08.2025 and date of public auction is fixed as 28.10.2025.

Since, the abovesaid property is already directed to be sold out by way of public auction, it cannot again be directed to be sold out by way of public auction, in the present execution petition.

As per Section 73 of CPC, when more than one person made application to the court for execution of the decree for the payment of money against the same JD, then the assets/sale consideration amount after deducting the cost of realization are required to be rateably distributed among the said decree holders.

In the present execution petition as well as in the abovesaid another execution petition, the JD is the same, so, the DH of present case as well as DH of aboveaid another execution petition are entitled for rateable distribution of the sale consideration amount among themselves.

Put up with connected execution petition on **10.11.2025.**

(SHIV KUMAR)
DJ-02 (W)THC:Delhi
18.09.2025