

Execution(Comm.)110/22

INDUSIND BANK LIMITED Vs. KHOKHER ENTERPRISES
AND ANR.

31.07.2023

Present: None for the decree holder.
 None for judgment debtor no.2.
 Be awaited for the decree holder for 11:00 a.m.

(BARKHA GUPTA)
District Judge/Commercial Court/
North East/KKD Courts/Delhi
31.07.2023

At 11:05 a.m.

Present: None for the decree holder.
 None for judgment debtor no.2.
 Still be awaited for decree holder for 11:30 a.m.

(BARKHA GUPTA)
District Judge/Commercial Court/
North East/KKD Courts/Delhi
31.07.2023

At 11:40 a.m.

Present: None for the decree holder since morning.
 None for judgment debtor no.2.

From the perusal of the record, it is revealed that the decree holder repeatedly did not file the fresh address of the judgment debtor no.1 despite various opportunities granted to it on 12.05.2023, 03.06.2023, 15.07.2023 and even today also, none has appeared on behalf of the decree holder since morning despite various repeated calls and fresh address of the judgment debtor no.1 has also not been filed. Further, the decree holder

also did not take any steps to proceed against judgment debtor no.2.

In view of above, since sufficient opportunities have already been afforded to decree holder to file the fresh address of the judgment debtor no.1 and further, decree holder did not pursue the execution petition against judgment debtor no.2, hence, in considered opinion of the Court, no ground is made out to afford further opportunity to the decree holder and the only reasonable conclusion that can be drawn in the given facts and circumstances is that the decree holder is not interested in pursuing the present execution petition any further against the judgment debtors and the same is accordingly dismissed for non prosecution.

File be consigned to record room after completion of necessary legal formalities.

(BARKHA GUPTA)
District Judge/Commercial Court/
North East/KKD Courts/Delhi/
31.07.2023