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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 585/2026 & CM APPL. 17889/2026**
LT. COL. PAVINDER AHLUWALIAPetitioner

Through: Mr. Rajesh Yadav, Senior Advocate
with Mr. Vikhyat Oberoi, Mr. Ravi
Sharma, Ms. Nishita Gupta, Mr.
Shivam Prakash, Ms. Akshata Sallari
and Ms. Juhi Bhargava, Advocates.

versus

ADIT AHLUWALIA & ANR.Respondents

Through: Ms. Geeta Malhotra and Ms. Swati,
Advocates.

CORAM:

HON'BLE MR. JUSTICE RAJNEESH KUMAR GUPTA

ORDER

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05.05.2026

1. This hearing has been conducted through hybrid mode.
2. The present petition has been filed under Article 227 of the Constitution of India, 1950, assailing the order dated 22nd January, 2026 passed by the learned Trial Court in Execution Petition bearing Ex. No. 1136/2018 to the extent that it restrains the Petitioner from creating third-party interest or alienating or dealing with his 1/3rd share in the suit property (i.e. Annexe of D-4, Defence Colony, New Delhi)
3. Heard. Record perused.
4. Learned Senior Counsel for the petitioner has argued that the Execution Court has gone beyond the jurisdiction in restraining the Petitioner from creating third-party interest or alienating or dealing with his 1/3rd share in the suit property.



In support of his argument the learned Senior Counsel has relied upon the judgments passed by the Hon'ble Supreme Court in ***Smt. Sarla Aggarwal vs. Sh. Ashwani Kumar Aggarwal***, 2012 SCC OnLine Del 5408 and in ***Angadi Chandranna v. Shankar and Others***, 2025 SCC OnLine SC 877.

5. However, learned counsel appearing on behalf of the respondent has argued that in case the petitioner is allowed to sell/alienate his share in the suit property, it will lead to multiplicity of litigation.

6. After considering the submissions made by the learned counsels, the impugned order as to restraining the petitioner from creating third-party interest or alienating or dealing with his 1/3rd share in the suit property is **stayed** till the next date of hearing.

7. List on 22nd September, 2026.

RAJNEESH KUMAR GUPTA, J

MAY 5, 2026/nd/isk