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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

(38) EX.P. 43/2019 & EX.APPL.(OS) 1371/2024

RAJEEV KUMAR BATRADecree Holder
Through: Mr.Rishabh Bansal,
Ms.Dikshaa Arora & Ms.Sakshi
Pareek, Advs.

versus

KEWAL KRISHAN KUMARJudgement Debtor
Through: None.

(39)+ EX.P. 44/2019 & EX.APPL.(OS) 1369/2024

SAMEER BHUTANIDecree Holder
Through: Mr.Rishabh Bansal,
Ms.Dikshaa Arora & Ms.Sakshi
Pareek, Advs.

versus

KEWAL KRISHAN KUMARJudgement Debtor
Through: None.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **29.08.2024**

EX.APPL.(OS) 1371/2024 in EX.P. 43/2019

EX.APPL.(OS) 1369/2024 in EX.P. 44/2019

1. In EX.P. 43/2019, the Decree Holder claims execution of the judgment/Decree dated 24.01.2019 passed by this Court in CS (OS) 463/2018, whereby the Judgment Debtor was directed to pay to the Decree Holder a sum of Rs.2,72,50,000/- along with interest at the rate of 10% per annum on Rs.2,00,00,000/-, with effect from the date of institution of the suit till its realization, and a further sum of Rs.1,50,000/- as cost of the suit with professional fee and the Court fee.



2. As on date, an amount of Rs.3,85,66,666/- is due and payable by the Judgment Debtor under the Decree.
3. In EX.P. 44/2019, the Decree Holder seeks execution of the judgment/Decree dated 24.01.2019 passed by this Court in CS (OS) 462/2018, whereby the Judgment Debtor was directed to pay to the Decree Holder a sum of Rs.3,40,62,500/-, along with interest at the rate of 10 % per annum on Rs.2,50,00,000/-, with effect from the date of institution of the suit till its realization, and a further sum of Rs.1,50,000/- as cost of the suit with professional fee and the Court fee.
4. As on date, an amount of Rs.4,81,70,833/- is due and payable by the Judgment Debtor under the said Decree.
5. Issue notice of these applications to the Judgment Debtor, to be served on the Judgment Debtor at E-202, Ramesh Nagar, New Delhi-110015, which, according to the learned counsel for the Decree Holder, is the last known address disclosed by the Judgment Debtor in his latest affidavit, returnable on 18th September, 2024 before this Court.
6. Pursuant to the order dated 01.08.2019, the Judgment Debtor filed an affidavit of assets on 04.10.2019, *inter alia*, disclosing that he holds an LIC policy bearing no. 331313563 dated 02.04.2004 for Rs.1,00,00,000/-, which was to mature on 04.02.2024. The Decree Holder, therefore, prays that the Judgment Debtor be directed to deposit the maturity amount of the above-mentioned policy with this Court.
7. Having considered the contents of the applications, the



Judgment Debtor is directed to deposit the maturity amount received against the above-mentioned policy with this Court within a period of two weeks of receipt of the notice of these applications along with a copy of this order.

8. In case, the Life Insurance Corporation has still not paid the Judgment Debtor the maturity amount, the same shall not be released to the Judgment Debtor, but shall be deposited before this Court by the Life Insurance Corporation.

9. The Decree Holder is permitted to communicate this order to the Life Insurance Corporation for compliance.

NAVIN CHAWLA, J

AUGUST 29, 2024/rv/DG

[Click here to check corrigendum, if any](#)