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

+ EX.P. 17/2016, CCP(O) 10/2024 EX.APPL.(OS) 1637/2023
EX.APPL.(OS) 544/2024

MR VIVAN SOMDUTT & ANR

..... Decree Holder

Through: Mr. Abhishek Chauhan, Advocate for
DH1.

Mr. B.B Gupta, Ms. Meghna Mishra,
Mr. Ankit Rajgarhia, Mr. Tarun
Sharma, Mr. Yashodhara Gupta,
Advocates for DH2.

versus

MR ARJUN SOMDUTT & ANR

..... Judgement Debtor

Through: Mr. Aruneshwar Gupta, Sr. Advocate
Mr. Varun Dewan, Mr. Keshav
Kumar, Mr. Abhishek Shama,
Advocates for JD1.

Ms. Pritha Som Dutt, Mr. Danish
Aftab Chowdhury, Advocates for JD2

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

04.04.2024

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1. Learned counsel for JD No.1 has appeared in the Court and submits that he had never given any consent and he has not liable to incur the cost suffered and submits that he is not liable to pay Rs.11,83,807.92/-.

2. Learned senior counsel on behalf of JD No.1 submits that there is a Collaborator who is willing to buy the property and the Collaboration Agreement has been placed on record. However, the alleged Collaborator is not present in the Court. It is submitted that the decree-holders may consider



settling the matter in accordance with the Collaboration Agreement.

3. Learned Senior Advocate for D.H. submits that they are not willing for any kind of collaboration as has been proposed on behalf of the judgment debtor. In case there is any Financer or Collaborator or Third Party who is willing to give them their money in accordance with their share in the subject property, they are willing to execute any documents in favour of any person who gives them the money, in lieu of their share in suit property.
4. The JD shall produce the collaborator/financer who intends to purchase the property, the JD No.1 shall also remain present in person, on the next date.
5. Be listed on 29.04.2024.

NEENA BANSAL KRISHNA, J

APRIL 4, 2024/K