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

+ **CM(M) 928/2025**

RAKESH KUMAR NANDA (DECEASED) THROUGH HIS WIFE
MS. LOVELY NANDA LRSPetitioners

Through: Mr. Vishwendra Verma, Advocate

versus

JITENDER SINGHRespondent

Through: Mr. Naman Raj Thakur, Advocate

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

% **28.10.2025**

CM APPL. 30295/2025 (exemption)

1. Allowed, subject to all just exceptions.

CM(M) 928/2025 & CM APPL. 30296/2025 (stay)

2. Learned counsel for petitioners/LRs of Judgment Debtor seeks adjournment on the ground that inadvertently he could not bring certain judicial precedents. The adjournment request is strongly opposed by learned counsel for respondent/Decree Holder on the ground that the predecessor bench stayed the execution proceedings to the extent of auction of the already attached property.

3. It appears that the LRs of Judgment Debtor resisted the execution proceedings on the basis of General Power of Attorney, alleging that the same conveyed title of the subject property; on the basis of an unregistered Gift Deed; and on the basis of a Will executed by the Judgment Debtor, which became operational subsequent to the attachment of the subject



property. These aspects have been dealt with in details in paragraphs 8-13 of the impugned order.

4. Learned counsel for petitioners/LRs of Judgment Debtor repeatedly requests only for adjournment as he needs some more time to prepare the brief. In order to ensure effective hearing, adjournment request is allowed. But it is made clear that there is no further stay on continuation of the execution proceedings and the execution court may proceed further in accordance with law.

5. Relist on 09.01.2026.

GIRISH KATHPALIA, J

OCTOBER 28, 2025/as