



2026:DHC:4602

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

+ RFA 703/2023

MRS KANCHAN BATRAAppellant

Through: Ms. Sangeeta Chandra, Advocate
versus

SHRI NARENDER KUMAR ANAND AND ANR.Respondents

Through: Appearance not given

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

% **13.09.2024**

CM APPL. 53806/2024 [Exemption from filing certified copies]

1. Allowed, subject to just exceptions.
2. The Application stands disposed of.

CM APPL. 53805/2024 [Early hearing]

3. This is an Application seeking early hearing of CM APPL. 51834/2023.
3. For the reasons stated in the Application, the same is allowed. Accordingly, CM APPL. 51834/2023 is taken up for hearing today.

CM APPL. 51834/2023 [For restraining]

4. This is an Application filed by the Respondents seeking to restrain the Appellant from selling, alienating or creating third party rights in the property bearing No. F-13/15 (Block No. F 13, Plot No. 15), Krishna Nagar, Delhi 110051 during the pendency of the Appeal [hereinafter referred to as "subject property"].
5. Notice in this Application was issued on 06.10.2023 when the Court granted the Appellant four weeks' time to file its Reply.



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6. Learned Counsel for the Respondents/Applicants submits that the Application has been pending for almost one year, but no reply has been filed.

7. Learned Counsel for the Respondents/Applicants submit that even during the pendency of the proceedings before the learned Trial court, the Appellant had given a statement that the subject property would not be encumber in any manner or sold to any third party on 09.03.2022.

7.1 Learned Counsel for the Respondents/Applicants submits that the Appellant has already made a statement before the learned Trial Court, that she has meagre means. Thus, the only asset of the Appellant is the subject property and in the event that the third party rights are created, the decree cannot be enforced by the Respondents. It is, therefore, contended that the Appellant be restrained from selling, alienating or creating third party rights in the subject property or in the alternative be directed to deposit the entire decretal amount.

8. Learned Counsel for the Appellant submits that the Application is misconceived. Learned Counsel further submits that the Respondent has already been secured by the deposit of the principal amount of Rs. 20,00,000/-. It is further contended that in any event, *prima facie*, this Court has found the interest to be exorbitant in its order dated 01.09.2023.

8.1 Learned Counsel for the Appellant requests for some more time to file the Reply to the Application.

9. Let the Reply be filed within a period of one week.

9.1 Rejoinder, if any, be filed before the next date of hearing.

10. List on 27.09.2024 at the end of the Supplementary list.



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11. Parties shall act based on a digitally signed copy of the order.

TARA VITASTA GANJU, J

SEPTEMBER 13, 2024/pa

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