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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **EX.P. 60/2024, EX.APPL.(OS) 1118/2024 and EX.APPL.(OS) 1736/2024**

SHRI SANJEEV JOONDecree Holder

Through: Mr. Naresh K. Daksh, Adv.

versus

SHRI SURENDER BASOYA & ANR.Judgement Debtors

Through: Mr. Abhay Kumar, Mr. Rahul Rajan,
Ms. Twinkle and Mr. Satish Kumar,
Adv.

O-39

+ **EX.P. 61/2024, EX.APPL.(OS) 1737/2024 and EX.APPL.(OS) 1128/2024**

SHRI SANJEEV JOONDecree Holder

Through: Mr. Naresh K. Daksh, Adv.

versus

SHRI SURENDER BASOYAJudgement Debtor

Through: Mr. Abhay Kumar, Mr. Rahul Rajan,
Ms. Twinkle and Mr. Satish Kumar,
Adv.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **30.01.2025**

1. The submission of learned counsel for the judgment debtor to the effect that the Division Bench *vide* order dated 31.05.2024 has stayed the proceedings of this Court is completely misplaced, as the order clearly states



that any steps taken in the matter will be subject to the outcome of the appeal. It does not mean that the proceedings of the Executing Court have been stayed by the Division Bench or the Executing Court is restrained to take further steps in accordance with law.

2. Both the execution applications relate to the execution of the judgment and decree dated 04.03.2024 wherein, a decree for declaration was passed.

3. The possession of the above properties requires to be handed over to the decree holder in terms of the judgment and decree.

4. It is seen that despite various opportunities the judgment debtor has not taken any steps neither any plausible explanation has been offered.

5. The details of property in EX.P. 60/2024 are as under:-

"Plot of land measuring 270 sq. yards (225 sq. meters) out of Plots measuring 400 sq. yards (335 sq. meters) bearing Property No. 62-A/I and adjoining Plot measuring 400 sq. yards (335 sq. meters) of Khasra No. 136/1/2 (Min) at Village Garhi Jharia Maria, New Delhi-110065"

6. The details of property in EX.P. 61/2024 are as under:-

"Plot of land measuring 230 sq. yards out of Plots measuring 400 sq. yards situated in Khasra No. 136/1/2 (Min) at Village Garhi Jharia Maria, New Delhi-110065."

7. In view of the aforesaid, let the matter be placed before the Joint Registrar on 03.03.2025 for appointment of the Bailiff for taking over the possession of the proper in question to be handed over the decree holder.

PURUSHAINDRA KUMAR KAURAV, J

JANUARY 30, 2025/DPA/DP

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