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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **EX.P. 60/2024, EX.APPL.(OS) 1118/2024, EX.APPL.(OS) 1736/2024, EX.APPL.(OS) 224/2025, EX.APPL.(OS) 225/2025, EX.APPL.(OS) 400/2025, EX.APPL.(OS) 402/2025**

SHRI SANJEEV JOONDecree Holder

Through: Mr.Naresh K Daksh, Advocate.
versus

SHRI SURENDER BASOYA & ANR.Judgement Debtors

Through: Mr.Abhay Kumar and Mr.Satish Kumar, Advocates.
Mr.Aman Sareen and Mr.Gurpratap Singh, Advocate for objector in EX.APPL.(OS) 795/2025.

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+ **EX.P. 61/2024, EX.APPL.(OS) 209/2025, EX.APPL.(OS) 210/2025 and EX.APPL.(OS) 211/2025**

SHRI SANJEEV JOONDecree Holder

Through: Mr.Naresh K Daksh, Advocate.
versus

SHRI SURENDER BASOYAJudgement Debtor

Through: Mr.Abhay Kumar and Mr.Satish Kumar, Advocates.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **19.05.2025**

EX.APPL.(OS) 795/2025 and EX.APPL.(OS) 796/2025 in EX.P. 60/2024

1. Learned counsel appearing on behalf of the applicant seeks liberty to

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withdraw the instant applications with further liberty to file the same in Ex.P.61/2024. The said liberty is prayed for, in view of the submissions made by Mr. Naresh K. Daksh, learned counsel appearing on behalf of the decree-holder who contends that the possession of the property which has been taken over pursuant to the directions passed by this Court is not forming party of the property which is sought to be disputed in the instant applications.

2. Liberty, so prayed for, is granted.
3. The instant applications stand dismissed as withdrawn.

EX.P. 60/2024 and EX.P. 61/2024

4. Mr. Daksh, learned counsel for the decree-holder contends that so far as EX.P. 60/2024 is concerned, the possession of the entire property has been taken over.

5. With respect to EX.APPL.(OS) 209/2025 in EX.P. 61/2024, learned counsel for the decree-holder contends that the possession of part of the property has been taken over, however, some further directions are required to be passed. In addition, he submits that the remaining part of the judgment and decree has not been fully complied with by the judgment-debtors. He, therefore, prays for necessary directions.

6. *Per contra*, Mr. Abhay Kumar, learned counsel appearing on behalf of the judgment-debtors contends that he be granted some time to take further instructions and in the meantime, the application under Section 47 of CPC be also heard.

7. With respect to application under Section 47 of CPC, learned counsel for the decree-holder placed reliance on various decisions of the Court and



contends that, the Court can continue to execute the decree and objections, at this stage, is not maintainable. He submits that it becomes insignificant as to whether the suit is registered as commercial suit or ordinary suit when it has already been decreed.

8. Mr. Abhay Kumar, learned counsel appearing on behalf of the judgment-debtors contends that he has some other objections as well.

9. He shall be at liberty to file an appropriate application as well as relevant decisions sought to be relied upon in relation thereto.

10. List these matters on 20.08.2025.

MAY 19, 2025

Nc/@m

PURUSHAINDRA KUMAR KAURAV, J

Click here to check corrigendum, if any