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

+ EX.P. 61/2024

SHRI SANJEEV JOON

.....Decree Holder

Through: Mr. Naresh K. Daksh, Adv.

versus

SHRI SURENDER BASOYA

.....Judgement Debtor

Through:

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

% **24.03.2026**

EX.APPL.(OS) 396/2026 (under Order XXI Rule 37 read with Section 151 CPC by Decree Holder)

1. The present application has been filed by the Decree Holder praying for arrest and detention of the Judgement Debtor for civil imprisonment for non-payment of the decretal amount.
2. Mr. Naresh K. Daksh, learned counsel appearing on behalf of Decree Holder submits that *vide* judgment/decreed dated 04.03.2024 this Court had declared that the agreement to sell is not binding and directed the Judgement Debtor to restore back the possession of said immovable property to the Decree Holder and also awarded the cost of Rs.2,50,000/-.
3. He submits that the said judgment and decree was assailed by the Judgement Debtor by preferring an appeal being RFA(OS)(COMM) 33/2025, which also came to be dismissed *vide* judgment dated 27.11.2025.



4. He submits that as per the information of the Decree Holder, no SLP has been preferred by the Judgement Debtor, therefore, the judgment and decree dated 04.03.2024 has attained finality.
5. He submits that notwithstanding the aforesaid facts, the Judgement Debtor has not satisfied the decree, including the money decree with regard to cost.
6. In view of the above, issue notice to the Judgement Debtor to appear in-person before the Court and show cause as to why he should not committed to the civil imprisonment, returnable on 29.04.2026.

VIKAS MAHAJAN, J

MARCH 24, 2026
N.S. ASWAL