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

+ **EX.P. 63/2024 & EX.APPL.(OS) 1131/2024**

SHRI YOGESH MALIK

.....Decree Holder

Through: Mr. Tanuj Khurana, Mrs. Deeksha
Khurana and Mr. Abhishek Rawat,
Advocates

versus

**ONKAR HEALTH ESSENTIAL PVT. LTD.
& ORS.**

.....Judgement Debtors

Through: None

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **29.07.2024**

EX.APPL.(OS) 1131/2024 (for exemption)

1. Decree Holder shall file legible and clearer copies of exempted documents, compliant with practice rules, before the next date of hearing.
2. Accordingly, this application is disposed of.

EX.P. 63/2024

3. This is an execution petition filed with respect to the judgment and decree dated 19.05.2015 passed in CS(OS) 329/2013 with respect to specific performance of the Agreement to Sell ('ATS') dated 14.12.2010. The Court while passing the ex-parte decree of specific performance of ATS dated 14.12.2010 had directed the plaintiff i.e., the Decree Holder to deposit the balance sale consideration of Rs. 3.60 crores with the registry of this Court.
4. Learned counsel for the Decree Holder concedes that said amount of Rs. 3.60 crores has not been deposited till date. He states that the physical



possession of the property is with the Judgment Debtor.

5. The Decree Holder shall on the next date first address arguments on the issue as to whether the execution petition filed nine years after the order dated 19.05.2015 is maintainable, given the fact that balance consideration of Rs. 3.60 crores was not deposited with the registry in compliance of the judgment dated 19.05.2015.

6. At the request of the Decree Holder, list on 18.09.2024.

MANMEET PRITAM SINGH ARORA, J

JULY 29, 2024/msh/AKT