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

+ **EX.P. 99/2022**

TRANSASIA PRIVATE CAPITAL LIMITED. & ANR.

.....Decree Holder

Through: Mr. Atul S. Mathur, Ms. Priya Singh
and Mr. Sarvapriya Makkar,
Advocates

versus

RAJEEV GOEL

.....Judgement Debtor

Through: Mr. Ayush Negi, Advocate (Through
VC)

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **09.07.2024**

EX.APPL.(OS) 1010/2024 (for directions)

1. This is an application filed by the Decree Holder under Section 151 of Code of Civil Procedure, 1908 ('CPC') for directions to the Court of the learned District Judge, Gurugram, Haryana for extension of attachment order dated 03.05.2024 passed by the Executing Court, Gurugram in EXE. No. 354/2024.

2. Learned counsel for the applicant/Decree Holder states that on 03.05.2024 warrants of attachment were issued by the Executing Court, Gurugram and the same have been duly served as recorded in the subsequent order dated 13.05.2024.

2.1. He states, however, the present application has been filed in view of proviso to Section 46 of the CPC. He states that an order of attachment under precept shall continue for period of two (2) months unless the period of attachment is extended by the order of the Court, which passed the



decree. He, accordingly, prays for direction to the Executing Court, Gurugram for extension of attachment order dated 03.05.2024 in EXE. No. 354/2024.

3. Issue notice. Learned counsel for the Judgement Debtor accepts notice.

3.1. He states that in his submission, the orders sought in the present application are not warranted. He states that the attachment warrants issued by the Executing Court, Gurugram on 03.05.2024 have been duly served and have also been sent to the Tehsildar, Gurugram for incorporation in the record.

3.2. He states that it is the understanding of the Judgement Debtor that the warrants of attachment continue to remain in subsistence until specifically recalled by the Executing Court, Gurugram.

4. This Court has heard the submissions of the parties. To avoid any lapse of the attachment warrant, it is hereby clarified that the extension of attachment order dated 03.05.2024 in EXE. No. 354/2024 in pursuance to the issuance of precept by this Court vide order dated 06.03.2024 shall continue until further orders of recall of warrant by this Court or the Executing Court or sale of the attached property, whichever is earlier.

5. With the aforesaid direction, the present application stands allowed.

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6. List the matter before the Court on the date already fixed i.e., 31.07.2024.

MANMEET PRITAM SINGH ARORA, J

JULY 9, 2024/rhc/sk