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

+ **RFA(OS) 41/2025, CM APPL. 43682/2025**

SANJEEV SONI AND ANR

.....Appellant

Through: Mr. Sanjeev Soni, Mr. J.K. Bhola, Mr. Mandeep Singh, Ms. Srishti Jain and Mr. Rishabh Soni, Advs. alongwith Appellant Nos. 1 and 2 in person

versus

KAMLA KAPUR AND ORS

.....Respondents

Through: Mr. Y.R. Sharma, Adv. for R-1,7,8 and 13 to 15 with Respondent No. 15 in person
Mr. Shiven Khurana, Adv. for R-2(a) with Respondent No.2(a) in person
Mr. Thakur Sumit, Adv. for R-4 Respondent No.5 in person
Respondent No.6 in person

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

ORDER

% **23.07.2025**

CM APPL. 43681/2025 (Exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

RFA(OS) 41/2025 and CM APPL. 43682/2025 (Stay)

3. Learned counsel representing the Appellant relies upon the Judgment passed by the three Judges Bench in ***Indu Singh and Anr. vs. Prem Chaudhary and Ors.***; 2018 (170) DRJ 1 to contend that



filing of separate execution petition is necessary and the Court while passing the final decree could not have directed the property to be auctioned.

4. List for further hearing on 04.08.2025.

ANIL KSHETARPAL, J.

HARISH VAIDYANATHAN SHANKAR, J.

JULY 23, 2025/sp/sh