



\$~57

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ RFA 714/2025
ILAM SINGH BANSALAppellant
Through: Mr. Goutham Shivshankar
(DHCLSC), Advocate.

versus
CHHIDDA SINGHRespondent
Through:

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **01.12.2025**

CM APPL. 75394/2025

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed-of.

CM APPL. 75393/2025 (early hearing of CM APPL. No.48124/2025)

For the reasons stated in the application, which is duly supported by affidavit, the application is allowed.

2. CM APPL. No.48124/2025 is taken-up for hearing today.
3. Application stands disposed-of.

CM APPL. 48124/2025 (stay)

4. Mr. Goutham Shivshankar, learned counsel appearing for the appellant submits, that pursuant to order dated 19.08.2025, whereby this court had stayed the warrants of arrest issued by the learned executing court against the appellant, the appellant has already deposited Rs.10 lacs in this court.
5. However, counsel submits, that there is no stay of the impugned judgment and decree dated 24.03.2025; and as a consequence the



learned executing court has proceeded with the matter, and *vide* order dated 15.11.2025, the learned executing court has directed that the property which stands in the name of the appellant, be put to auction in the terms contained in that order.

6. Mr. Shivshankar submits, that publication of the proclamation in newspapers and on the District Court's notice board, as well as in the locality, is scheduled on or before 01.12.2025; and the auction is to be conducted on 05.01.2026.
7. Counsel further submits however, that contrary to what is recorded in earlier order dated 24.09.2025 passed by the learned executing court, the appellant is willing to deposit (instead of pay) the *balance* decretal amount of Rs.10,96,583/- in this court *in addition* to Rs.10 lacs that was deposited in compliance of the earlier order, which would essentially amount to the entire decretal amount alongwith interest upto 24.09.2025 being secured.
8. However, since it is the appellant's contention that the decretal amount is not due to the respondent, the appellant is not willing to *pay* the said amount to the respondent.
9. Counsel states that an advance copy of this application was served upon counsel for the respondent. However, no one is present on behalf of the respondent when the matter is called-out.
10. Mr. Shivshankar submits, that if the proclamation is published in the manner directed by the learned executing court *vide* order dated 15.11.2025, the property will run into disrepute.
11. Upon a conspectus of the submission made, on a *prima-facie* view of the matter, and in view of the appellant being ready and willing to



secure the decretal amount alongwith interest, it is directed that *subject to* the appellant depositing (the additional sum) Rs.10,96,583/- within 04 weeks with the Registrar General of this court, the effect and operation of impugned judgment and decree dated 24.03.2025 shall remain *stayed* till the next date of hearing before this court.

12. If the proclamation has already been published, it is directed that no further steps in the execution proceedings shall be taken, till the next date of hearing before this court.
13. The Registrar General is directed to retain the amount deposited in the form of a fixed deposit in a nationalised bank, initially for a period of 01 year; to be renewed for the same period from time-to-time, without awaiting any further directions from this court in that behalf, unless otherwise directed by the court.
14. The Registry is directed to bring to the notice of this court any non-compliance with the directions issued above.
15. Re-notify on 24th March 2026, before the learned Joint-Registrar, the date already fixed.

ANUP JAIRAM BHAMBHANI, J

DECEMBER 1, 2025

ds