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

+ **CM(M) 2225/2025**

M/S ANJALA EXHIBITORS PRIVATE LIMITEDPetitioner

Through: Mr. Amulya Dhingra, Advocate

versus

M/S IMMARAT CONSTRUCTIONS & ORS.Respondents

Through: None

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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19.11.2025

CM APPL. 72422/2025 (exemption)

1. Allowed, subject to all just exceptions.

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2. Petitioner/DH has assailed order dated 17.10.2025 of the learned commercial court, whereby the execution petition was adjourned *sine die* with liberty to the petitioner/DH to seek revival of the same subject to outcome of application under Order IX Rule 13 CPC pending before the same court.

3. Learned counsel for petitioner/DH expresses anguish that despite his having referred to the judicial precedent from the Hon'ble Supreme Court for disposal of execution petitions within six months, the learned commercial court passed the impugned order. It is further submitted by learned counsel for petitioner/DH that even in the proceedings under Order



IX Rule 13 CPC, which were listed on the same day when the impugned order was passed, there was no stay of execution proceedings and the application under Order IX Rule 13 CPC was simply adjourned to 27.02.2026. It is also contended by learned counsel that the Judgment Debtors themselves never sought any stay on execution. Further, learned counsel for petitioner/DH also submits that the subject execution proceedings were filed in July 2023 for execution of decree of the year 2021, but practically no proceedings were being carried out.

4. After apprising the aforesaid, the learned counsel for petitioner/DH submits that this is a fit case to pass *ex-parte* directions to the learned commercial court, keeping in mind letter and spirit of the legal position settled by the Hon'ble Supreme Court.

5. Keeping in mind the letter and spirit of the legal position settled by the Hon'ble Supreme Court that execution proceedings should be disposed of within six months, I find it appropriate to issue *ex-parte* directions to the learned commercial court to proceed further with the subject execution proceedings expeditiously. However, as regards challenge to the legality of the impugned order, notice be issued to respondents on steps within one week, returnable on 23.03.2026.

GIRISH KATHPALIA, J

NOVEMBER 19, 2025/as