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

+ **CM(M) 2232/2025**

JASPAL SINGH

.....Petitioner

Through: Mr. M.S. Bammi, Ms. Meenakshi
Tyagi, Ms. Gurmehar Kaur and Mr.
Aakshay Yadav, Advocates

versus

HARPAL SINGH SURI & ANR.

.....Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

% **19.11.2025**

CM APPL.72713/2025 (exemption)

1. Allowed, subject to all just exceptions.

CM APPL.72714/2025 (exemption from filing of trial court record)

2. Subject to execution court record in digitized form being filed before this Court within two weeks, the application is allowed.

CM(M) 2232/2025 & CM APPL.72712/2025 (stay)

3. This petition has been received just now (12:45pm) by way of second Supplementary List after mentioning was allowed by the Hon'ble Chief Justice.
4. I have heard learned counsel for petitioner/judgment debtor.
5. Learned counsel for petitioner/judgement debtor contended that the impugned order dated 14.11.2025, whereby warrants of arrest were ordered against the judgment debtor, was passed in pre-mature execution



proceedings. It is contended that the petitioner/judgement debtor was not even furnished copy of the execution petition and has already paid the entire outstanding amount in accordance with the decree. Learned counsel for petitioner/judgment debtor also submits that he applied for certified copies of execution court record but that was not supplied to him. However, he submits that he is not carrying the receipt issued by the certifying agency. Learned counsel further submits that even inspection of the execution court record was denied to him, but he does not have a copy of that order of denial.

6. Further, it is contended by learned counsel for petitioner/judgment debtor that according to the consent decree, the subject property was to be vacated by the judgment debtor on or before 10.02.2026, so the execution was pre-mature. It is also contended by learned counsel that since the petitioner/judgment debtor has paid the complete outstanding amount till the date of vacation of the subject property, the execution proceedings were liable to be declared satisfied.

7. But none of the submissions above are borne out of record filed with the petition. The compromise decree has not been placed on record but the mediation settlement, Annexure-P5, has been perused by me. The initial orders of the execution petition have not been filed in order to show as to under what circumstances the proceedings reached the impugned order. It appears that the contention of non-supply of execution petition was raised for the first time before the execution court only on the day of the impugned order dated 14.11.2025 and that contention was refuted by the other side.

8. It appears that despite repeated directions, judgement debtor did not file his affidavit of assets in terms with Order XXI Rule 41(2) CPC.



9. At this stage, learned counsel for petitioner, on instructions of his client, submits that the petitioner/judgement debtor shall deposit the entire execution amount with the Registry of this Court so that he may be protected till next date from arrest.

10. As per impugned order, a sum of Rs. 2, 81,430/- stands paid to the respondent/decreed holder out of the total amount of Rs. 10,00,000/-. Learned counsel for petitioner/judgement debtor undertakes to file affidavit of petitioner within three days after inspecting the records and disclose the total outstanding amount in execution proceedings and thereafter, to deposit the outstanding amount with the Registry of this Court within one week.

11. Subject to the petitioner/judgement debtor complying with his undertaking mentioned above, execution of non-bailable warrants already ordered against him shall remain stayed till next date. However, it is made clear that if the outstanding amount is not deposited with the Registry of this Court within one week, there shall be no continuation of protection and the arrest warrants already issued, returnable on 05.12.2025, shall be executed.

12. In the meanwhile, Subject to petitioner/judgement debtor taking steps within one week, notice through all modes be issued to the respondents, returnable on 23.03.2026 before Registrar.

13. As requested, *dasti* copy of this order be issued to the petitioner/judgement debtor.

GIRISH KATHPALIA, J

NOVEMBER 19, 2025

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