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

CNR No. DLHC010929012025

+ **EX.P. 100/2025**

MRIDULA MUKHERJEE AND ANR

.....Decree Holders

Through: Mr. Abhik Chimni, Mr. Subhro Prokas Mukherjee, Ms. Pranjal Abrol, Mr. Mohd. Shah Minhajuddin and Mr. Mohd. Adil Khan, Advocates.

versus

AJAY MAHAJAN

.....Judgement Debtor

Through: Mr. Nukul Nirwan, Advocate for J.D. Mr. Shashi Pratap Singh, Ms. Laqshyaa Saluja and Ms. Anamika Tyagi, Advocates for DDA. Ms. Vaishali Gupta, Advocate for applicant.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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11.08.2026

1. Mr. Nukul Nirwan, learned counsel enters appearance on behalf of the judgment debtor and states that he has been recently engaged in the matter, and needs some time to peruse the petition, and take appropriate instructions. He states that his Vakalatnama is on record.

2. Mr. Chimni, learned counsel appearing for the decree holders states that a consent decree dated 13.04.2023 has been passed whereby the subject property was divided by metes and bounds floor-wise between the parties to the original suit. He states that the mutation of the property in the names of the parties to the suit was to be carried out, however, since the year 2023 despite a consent decree having been passed, the judgment debtor has been delaying such action. Mr. Chimni also draws attention of this Court to sub para (VII) of



para 16 of the order dated 24.03.2026 whereby it is noted that once the mutation is effected by the DDA in the name of Smt. Mridula Mukherjee, Smt. Sucheta Mahajan and Mr. Ajay Mahajan, the said three persons would jointly apply to the DDA for conversion of the property from Leasehold to Freehold as per rules and procedure. It was only after such process was completed, that Smt. Mridula Mukherjee and Smt. Sucheta Mahajan would have the right to construct one floor each in the property in question. Similarly, the same right was granted even to the judgment debtor.

3. However, no action appears to have been initiated by Mr. Ajay Mahajan, the judgment debtor. It is in this context that this Court deems it appropriate to request Mr. Ajay Mahajan to appear in person before this Court on next date of hearing.

4. Ms. Vaishali Gupta, learned counsel appears on behalf of one Ms. Lakshmi, whose issue has been noticed in para 16 of the order dated 24.03.2026. She states that as per the Will, Ms. Lakshmi was allowed to have a separate flat on the garage for herself, if she does not marry. She states that Ms. Lakshmi is still unmarried and therefore, Ms. Lakshmi too, would have an interest in the property. She requests that she may be heard before any final orders are passed in the present petition. This issue can be considered on the next date of hearing.

5. It is also noted in the order dated 24.03.2026 that Ms. Lakshmi would have the right of residence in the property, as long as she is alive.

6. List on 08.09.2026.

TUSHAR RAO GEDELA, J

AUGUST 11, 2026

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