



\$~65

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ EX.P. 327/2013& CCP(O) 8/2015, EX.APPL.(OS) 1177/2015,
EX.APPL.(OS) 1222/2015, EX.APPL.(OS) 547/2018

NAVEEN KUMAR GUPTA

.....Decree Holder

Through: Ms. Mallika Gupta and Mr. Syed Asif
Iqbal, Advs.

versus

PRAVEEN KUMAR GUPTA & ORS

.....Judgement Debtor

Through: Mr. M.S. Saini and Ms. Rudrakshi,
Advs. for JD-2.

Mr. Sunil Kumar Sharma, Adv. for
JD-1.

Mr. Sanjeev Kumar Tiwari, Adv. for
Objector – Priya Gupta.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

%

15.07.2024

1. This is a petition seeking execution of the Award dated 05.04.2013 passed by learned Sole Arbitrator in ARB.P. 1/2013.
2. As per the Award, the decree holder was to get 50% of the farmhouse namely Nirmal Vatika measuring 12 Bheega 11 Biswa, Khasra No. 92/1(6-2), 2(4-17), 9(1-12) situated at Village Dariya Pur Kanan, Opp. Fire Station, Bawana, Delhi.
3. It is pertinent to note that the present execution petition is only limited to the possession of this farmhouse.
4. The judgment debtor No. 2 objects on the ground that he has a registered Sale Deed in his favor and copy of which has been handed over in court.
5. A perusal of the said Sale Deed shows that the same is registered on



16.12.2013 i.e. after passing of the Award dated 05.04.2013.

6. Mr. Saini, learned counsel for the judgment debtor No. 2 states that some time may be granted to judgment debtor No. 2 as his appeal being FAO (OS) 41/2022 is pending adjudication and is listed on 27.08.2024.

7. It is directed that in case the Award is not set aside, modified, varied or stayed on 27.08.2024, the judgment debtor No. 2 shall hand over 50% possession of the farmhouse namely Nirmal Vatika measuring 12 Bheega 11 Biswa, Khasra No. 92/1(6-2), 2(4-17), 9(1-12) situated at Village Dariya Pur Kanan, Opp. Fire Station, Bawana, Delhi to the decree holder and 25% to the judgment debtor No. 1 within a week from 27.08.2024.

8. In the meantime, Ms. Gupta, learned counsel for the decree holder states that the stamp duty of Rs. 1.5 lakh has been filed with the Registrar General, Delhi High Court. Let it be placed on record.

9. List on 06.09.2024.

JASMEET SINGH, J

JULY 15, 2024/NG

[Click here to check corrigendum, if any](#)