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IN THE HIGH COURT OF DELHI AT NEW DELHI

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EX.P. 453/2014, EX.APPL.(OS) 246/2015, EX.APPL.(OS) 374/2015, EX.APPL.(OS) 76/2016, EX.APPL.(OS) 323/2019, EX.APPL.(OS) 207/2020, EX.APPL.(OS) 2799/2022, EX.APPL.(OS) 3040/2022, EX.APPL.(OS) 3661/2022, EX.APPL.(OS) 3662/2022, EX.APPL.(OS) 3673/2022, EX.APPL.(OS) 3674/2022, EX.APPL.(OS) 3675/2022, EX.APPL.(OS) 3676/2022, EX.APPL.(OS) 3677/2022, EX.APPL.(OS) 1461/2024, EX.APPL.(OS) 1066/2025 & EX.APPL.(OS) 1673/2025

SATISH KUMAR SETH & ANR

.....Decree Holders

Through: Ms. Nitika Bhutani, Advocate
for Decree-Holder 1 and 2.

versus

LATE JOGINDER KUMAR SETH & ORS

.....Judgement Debtors

Through: Mr. Shiv Gupta, Mr. S.M. Bhasker and Mr. Khushal Singh, Advocates for JD Nos.1(A) to 1(E)

Mr. Atul Bandhu & Mr. Rishabh Bansal, Advocates for JD No.4.

Ms. Adya Rao, Advocate for JD No.5A to 5C.

Mr. Mohit Monga, Advocate for JD No.6 and 7.

Mr. Prateek Rai & Mr. Ashutosh Bhardwaj, Advocates for Objector-Mr. Satender Kr. Balyan

CORAM:

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

ORDER

03.02.2026

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EX.APPL.(OS) 205/2021 in EX.P. 453/2014

1. The present Application, under Section 151 of the Civil Procedure Code, 1908, has been filed seeking the issuance of warrants of possession and 50% share in the property bearing No.1405, Shivalik Apartment, Kaushambi, Ghaziabad, against the Decree Holder No.2.

2. Learned counsel appearing on behalf of Judgment Debtors 1(A) to (E) submits some disputes have arisen as respects the subject property and in view thereof, he requests the exclusion of the said property from the purview of the present Execution Petition for taking such steps as are available to the parties under law.

3. In view of the same, the present property shall stand excluded from the present proceedings; consequently application bearing. EX.APPL.(OS) No. 205/2021 stands disposed of.

EX.P. 453/2014

4. The present Petition is filed under Order XXI Rule 10 read with Section 151 of the Code of Civil Procedure, 1908, seeking execution of the Arbitral Award dated 23.06.2013.

5. *Vide* Order dated 24.07.2025, Mr. Sujit Kumar Singh, Advocate, was appointed as the Local Commissioner to auction the property bearing Industrial Plot No.3, Block No. D, Sector 8, New Okhla Industrial Area, admeasuring 3,870 square meters, possession of which is stated to be with Judgment Debtors Nos.1(A) to 1(E), having 45% share in the said property.

6. The Local Commissioner submits that none of the parties corresponded with him or contacted him for the purpose of carrying out the auction as per the directions in the aforesaid Order of this



Court and in view of the same, he may be excused from continuing as a Local Commissioner.

7. Learned counsel appearing on behalf of the parties state that they are at an advanced stage of discussions with prospective buyers for the aforesaid property, and for that reason, have not approached Mr. Sujit Kumar Singh.

8. In view thereof, Mr. Singh is excused from continuing as the Local Commissioner in the present matter.

9. Learned counsels for the parties further submit that the sale of the property is likely to be completed within a period of 45 days from today.

10. In view thereof, list on 16.04.2026.

HARISH VAIDYANATHAN SHANKAR, J

FEBRUARY 3, 2026/JYH