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

+ EX.P. 54/2017

SUBHASH ARORA

.....Decree Holder

Through: Ms. Damini Chawla and Mr. Manish
Chaudhary, Advocates.

versus

KALVINDER SINGH SANDHU & ORSJudgement Debtors

Through: Mr. Anand Varma, Ms. Apoorva
Pandey and Mr. Ayush Gupta,
Advocates.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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08.05.2026

EX.APPL.(OS) 1058/2025

1. The present application under Section 151 of the CPC has been filed by the Decree Holder seeking revival of the Execution Petition and directions against the Judgment Debtors.
2. In the instant execution petition, Settlement Agreement was entered into between the Decree Holder and the Judgment Debtors on 09.01.2019 wherein the Judgment Debtors had agreed to transfer all interest of property bearing No. B-8A, Kailash Colony, New Delhi (*hereinafter referred to as "Suit Property"*) admeasuring 496 sq. yards for a sale consideration of Rs.7,60,00,000/- without vacant possession.
3. It is the case of the Decree Holder that as per the Settlement Agreement, the Suit Property is free from all kinds of encumbrances, liens



and/or attachment except the vacant possession. On the basis of the said Settlement Agreement, the petition was disposed of on 20.03.2024.

4. It is stated that the possession of the Suit Property has been taken over by the Indian Overseas Bank contrary to the Recital G and K in the Settlement Agreement on the basis of which the execution petition was disposed of and therefore, states that entire basis of the settlement was fraud on the Court as the suit Property was mortgaged.

5. Learned Counsel for the Judgment Debtors prays for some time to file an affidavit explaining his position.

6. List on 13.05.2026 in Supplementary List.

SUBRAMONIUM PRASAD, J

MAY 08, 2026

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