

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

+ EX.P. 173/2012

SHRI DINESH TAYAL ..... Decree Holder  
Through : None.

versus

DRA FOOD PVT LTD ..... Judgement Debtor  
Through : None.

**CORAM:**

**HON'BLE MS. JUSTICE HIMA KOHLI**

**ORDER**

**% 05.01.2015**

1. Vide order dated 29.1.2014, counsel for the decree holder was directed to place on record the documents to establish that the immovable properties mentioned in Annexure-A enclosed with the Execution Petition, belong to the judgment debtor, before any warrants of attachment could be ordered to be issued. At the request of the counsel for the decree holder, who sought time to make compliance, the matter was adjourned to 14.7.2014. However, compliances of the aforesaid order were not made.
2. On 14.7.2014, another opportunity was granted to the decree holder to make compliance of the order dated 29.1.2014, but the position remains the same for the past one year.
3. The present petition was passed over on the first call as none was present on behalf of the decree holder. Same is the position on the second call.

4. It appears that the decree holder is not interested in prosecuting the Execution Petition, which is accordingly dismissed in default and for non-prosecution.

**JANUARY 05, 2015**  
sk

**HIMA KOHLI, J**