

\$~12.

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ EX.P. No.262/2007, & EAs No.536/2007 (u/O XXI R-54 CPC),
541/2009 (u/S 151 CPC), 619/2009 (of JD u/O XXI R-41 CPC).
H.P. STATE INDUSTRIAL DEVELOPMENT
CORPORATION LTD Decree Holder
Through: Mr. Jitendra Kumar Singh, Adv.

versus

NEERAJ JOLY & ANR Judgement Debtors
Through: Ms. Mamta Mehra, Ms. Mukta Kapur,
Adv. for JD/Objector no.2&3.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

%

01.02.2017

1. This order is in continuation of the earlier order dated 8th December, 2016.
2. The counsel for the decree holder states that there is indeed a stay of this execution and has drawn attention to the order dated 9th January, 2017 of the High Court of Himachal Pradesh in OMP No.620/2009 titled *The Himachal Pradesh State Industrial Development Corporation Limited Vs. M/s. Village Papers Pvt. Limited*.
3. On a reading of the said order dated 9th January, 2017 it appears that before the High Court of Himachal Pradesh, an application for setting aside of the decree under execution before this Court and which is an *ex parte* decree, is pending consideration.
4. Thus no further proceedings can be taken in execution.
5. The counsel for the judgment debtor no.2 Shri Rajiv Chanana states that Mr. Rajiv Chanana is present in Court.

6. Be that as it may, since execution is stayed, in terms of earlier order dated 25th November, 2016, this petition is disposed of with liberty to the decree holder to, if need arises, apply afresh and in which execution petition the counsel for the judgment debtors states that no objection of the same being barred by time shall be taken.

7. The execution petition is disposed of.

RAJIV SAHAI ENDLAW, J

FEBRUARY 01, 2017

‘pp’..