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

+ **EX.F.A. 30/2013 and C.M. Appl. No. 17351/2013 (for stay)**

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..... Appellant

Through: Mr. Kirti Uppal, Sr. Advocate with
Mr. Ajay Malhotra and Mr. Sidharth
Chopra, Advocates.

versus

MOHD MUSTQEEN QURESHI & ANR

..... Respondents

Through: Mr. Sunil Mittal, Sr. Advocate with
Mr. Deepankar Mohan, Ms. Seema
Seth and Mr. Dhruv Grover,
Advocates.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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12.07.2017

1. After arguments, this appeal is disposed of with the consent order that the impugned order dated 15.10.2013 is set aside and the objections which were filed in the execution proceedings filed by the appellant/decreed holder will be decided after framing of issues and leading of evidence by the parties. The Court below is requested to expedite the matter and it is further agreed between the parties that if any of the parties seek unnecessary adjournment the executing court will be entitled to impose heavy costs on the party seeking adjournment.

EX.F.A. 30/2013

page 1 of 2

2. Parties will maintain status quo as on date and in case any variation is required for the status quo, any of the parties can approach the executing court for any appropriate orders. In case the objector wants to amend the objection petition by taking further defences and addition of facts, he is permitted to do so by moving an application before the executing court and which will be decided after giving opportunity to the present appellant to file reply to such an application.

3. Whatever amount has been deposited by the appellant/decreed holder in this Court be returned back to the decree holder and further orders in this regard will abide in terms of the final judgment which will be passed by the executing court disposing of the objections of the objectors/respondent no. 1.

4. Parties will appear before the District and Sessions Judge (Central), Tis Hazari Courts, Delhi on 21st August, 2017 and the District and Sessions Judge will mark the executing petition and the objections filed therein for disposal to a competent court in accordance with law.

VALMIKI J. MEHTA, J

JULY 12, 2017

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