

\$~62

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

+ **W.P.(C) 7838/2018**

JAI PRAKASH

..... Petitioner

Through Mr Ashesh Lal, Mr Raghav Parwatiyar,
Advocates.

versus

GOVT. OF NCT OF DELHI & ANR. Respondents

Through Mr Namit Bangia, Advocate for
Respondent No. 2/SBI.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

27.07.2018

CM No. 30016/2018

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

W.P.(C) 7838/2018

3. The petitioner has filed the present petition impugning an order dated 25.07.2018 (hereafter 'the impugned order') passed by Sh Prashant Sharma, learned Senior Civil Judge-cum-Rent Controller, Central District, Tis Hazari Courts, Delhi.
4. By the aforesaid order, the petitioner has been kept in civil detention. This is on account of his failure to pay the decretal amount. This Court finds no infirmity with the action of the concerned Court in committing the petitioner to Civil Detention. The record clearly indicates that he has failed to discharge his liabilities and it also appears that he has been avoiding the

processes of the Court.

5. Notwithstanding the above, this Court considers it apposite to suspend the operation of the impugned order dated 25.07.2018 till 30.07.2018. This is in view of the firm commitment made by the learned counsel for the petitioner that the petitioner will pay a sum of ₹25,000/- in part discharge of his liability on or before 30.07.2018 and shall discharge his debt within a period of three months from that date.

6. The petitioner is directed to appear before the concerned Court (Senior Civil Judge-cum-Rent Controller, Central District, Tis Hazari Courts) on 30.07.2018 at 10.30 a.m. The petitioner shall also provide a schedule of payment indicating as to how the balance amount due to the respondent bank will be discharged. It is clarified that the said schedule shall not exceed three months.

7. In the event, the petitioner pays the amount of ₹25,000/- as committed on his behalf and furnishes a schedule of payment, the concerned Court shall consider modifying/recalling the impugned order.

8. Since, the impugned order has been suspended till 30.07.2018, the petitioner shall be released from the civil detention forthwith.

9. The petition along with pending application is disposed of with the aforesaid directions.

10. Order *dasti* under the signature of Court Master.

VIBHU BAKHRU, J

JULY 27, 2018

pkv