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

+ **CM(M) 159/2024**

M M L KAPUR

..... Petitioner

Through: Mr. Jai Sahai Endlaw and Mr. Zubin
M. John, Advs.

versus

ANIL WADHWA AND ANR

..... Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

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25.01.2024

CM APPL. 4901/2024 & CM APPL. 4902/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Applications stand disposed of.

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3. None appears for respondents on advance notice.
4. The present petition has been filed under Article 227 of the Constitution of India for impugning the order dated 16.01.2024 passed in Ex.No. 576/2023 by the ACJ-CUM-CCJ-CUM-ARC, District West, Tis Hazari Courts, Delhi (hereinafter referred as 'Trial Court') and directions for expeditious disposal of the same.
5. The learned counsel for the petitioner submits that the eviction decree in respect of the subject property was passed by the learned Trial Court vide judgment/ order dated 25.01.2023. The respondent herein had preferred a Revision Petition which stands dismissed vide order dated 03.01.2024.
6. It is submitted that in pursuance to the Eviction Decree, the petitioner



herein had filed an execution petition bearing Ex.NO. 576/2023 titled as 'M.M.L. Kapur v. Anil Wadhwa and Anr.', wherein vide order dated 14.09.2023, the warrants of possession were directed to be issued, however, a bailiff had to be appointed. In the meanwhile, the respondent herein had preferred a Revision Petition, therefore, the bailiff could not be appointed. Now, the Revision Petition stands disposed of vide order dated 03.01.2024, and the learned Executing Court on 16.01.2024 has ordered for appointment of the bailiff on 15.02.2024 as the petitioner herein is a senior citizen aged about 86 years, and is presently residing in the U.S.A. The eviction decree has been passed on bonafide requirement of the petitioner, thus, the learned Executing Court be directed to prepone the date of hearing fixed as 15.02.2024.

7. In view of the above submissions, the petitioner is at liberty to prefer an application in this regard for preponing of date addressing his grievances before the learned Executing Court as permissible under law for consideration.

8. No further directions are required. The present petition stands disposed of accordingly.

SHALINDER KAUR, J.

JANUARY 25, 2024/aks