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

+ **EX.P. 13/2023& EX.APPL.(OS) 764/2023**

ABHA GUPTA AND ORS.

..... Decree Holder

Through: Mr. Nishant Awana, Ms. Rini Badoni,
Ms. Nitya Sharma, Mr. Sahil and Mr.
Mayank Chaudhary, Advs.

versus

RAVINDRA KUMAR GUPTA AND ORS Judgement Debtor

Through: Mr. Varun Nischal and Mr. Shubham
Sharma, Adv. for JD-1.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

10.05.2024

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1. The judgment-debtor Nos. 2 and 3 have been served through E-mail on 22.02.2023 and WhatsApp on 28.03.2023. Despite service nobody is appearing for and on behalf of judgment-debtor Nos. 2 and 3.

2. As per the decree, the shares of the parties in property No. C-268 A, Gali No. 9, Bhajanpura, Delhi-110053 are as under:-

<i>S.No</i>	<i>Name</i>	<i>Share</i>
1.	<i>Smt. Aabha Gupta</i>	<i>Collectively 1/9th</i>
2.	<i>Sh. Pradeep Kumar Gupta</i>	<i>Collectively 1/9th</i>
3.	<i>Sh. Ravinder Kumar Gupta</i>	<i>Collectively 1/9th</i>
4.	<i>Sh. Sudhir Kumar Gupta</i>	<i>Collectively 1/9th</i>
5.	<i>Sh. Rajendra Kumar Gupta</i>	<i>Collectively 1/9th</i>
6.	<i>Sh. Mahender Kumar Gupta</i>	<i>Collectively 1/9th</i>
7.	<i>Sh. Devender Kumar Gupta</i>	<i>Collectively 1/9th</i>



8.	<i>Smt. Manju Gupta</i>	<i>Collectively 1/9th</i>
9.	<i>Smt. Sunita Garg</i>	<i>Collectively 1/9th</i>

3. Since Mr. Pradeep Kumar Gupta has expired and as per the memo of parties, his three legal representatives are Ms. Rita Gupta, Mr. Anshul Gupta and Ms. Shilpi Gupta.

4. Mr. Nischal, learned counsel for the judgment debtor states that he has deposited two instalments of ₹ 75,00,000/- with the Registrar General of this Court.

5. He shall deposit the balance amount of (Rs. 1,50,00,000 – Rs. 33,33,333 = Rs. 1,16,66,667) by 30.05.2024.

6. On deposit of Rs. 1,16,66,667/- with the Registrar General, Delhi High Court, all the decree holders will execute relinquishment deed in favour of judgment debtor No. 1, i.e. Ravinder Kumar Gupta, on or before 15.06.2024.

7. On execution of the relinquishment deed, the decree-holders and judgment debtors will be entitled to withdraw their proportionate share in the amount lying deposited in this court along with proportionate accrued interest.

8. The cost of stamping the relinquishment deed shall be borne by judgment-debtor No. 1.

9. Since judgment debtor Nos. 2 and 3 also have to relinquish their shares in the property, Ms. Priti Verma, Adv (Mob. No. 7838581994) is appointed as a Local Commissioner to execute the relinquishment deed for and on behalf of judgment debtor Nos. 2 and 3.

10. The Local Commissioner shall be paid a fee of Rs. 1 lakh to be paid



by judgment debtor No. 1. The relinquishment deed for judgment debtor Nos. 2 and 3 shall be approved by Mr. Awana, learned counsel for decree holder Nos. 1 to 6.

11. The judgment debtor No. 1 shall pay a sum of Rs. 21,630/- as cost of stamp duty paid by decree holder No. 1 on behalf of judgment debtor No. 1 by way of a Demand Draft before 15.06.2024.

12. Another sum of Rs. 21,630/- which was the proportionate share of stamp duty to be paid by judgment debtor No.2 has not been paid. The said amount shall be withdrawn from the share of judgment debtor No. 2 deposited in this Court and shall be paid to decree holder No. 1.

13. The decree holder No. 3 and judgment debtor No. 1, who are present in Court, assure the court that the order passed today will be complied with in letter, spirit and intent.

14. The DD amount deposited by the decree holder No. 3 shall be returned to decree holder No.3 through person or authorised representative.

15. With these directions, the execution is disposed of.

JASMEET SINGH, J

MAY 10, 2024/NG

Click here to check corrigendum, if any