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

+ **OMP (ENF.) (COMM.) 146/2019**

BHATIA FINVEST PVT. LTD

.....Decree Holder

Through: Mr. Sunil Dalal, Senior Advocate
with Mr. Puneet Khurana, Ms. Shipra
Bali, Ms. Riya Rana, Mr. Rajiv Singh
and Mr. Sandeep Sharma, Advocates.

versus

RAKESH KUMAR GUPTA

.....Judgement Debtor

Through: Mr. Vedanta Varma, Ms. Simran
Brar, Mr. Shubhankar Choudhary,
Ms. Geetika Sharma, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **22.01.2025**

EX.APPL.(OS) 133/2025 (for revival of the Execution proceedings deferred vide order dt 01.08.2024 by decree holder)

1. By way of the present application, the applicant/Decree Holder seeks revival of the execution proceedings deferred to a date after 31.12.2025 vide order dated 01.08.2024 passed by the Division Bench of this Court in EFA(OS) (Comm.) 2/2023.

2. Learned Senior Counsel for the applicant/Decree Holder submits that the respondent/Judgment Debtor has defaulted in his obligation in terms of the order dated 01.08.2024 inasmuch as the payment of instalment for the month of December 2024 has not been made in time.

3. Learned counsel for the respondent/Judgment Debtor submits that the delay has occurred only qua payment of instalment for the month of December 2024 when on 10.12.2024, the respondent/Judgment Debtor had



notified the applicant/Decree Holder of the same and had sought an extension of time on account of illness of his granddaughter who was hospitalized in Singapore. He further submits that the entire payment for that instalment was made in the month of December 2024 itself and subsequently, the payment qua instalment for the month of January 2025 has been made in time. He lastly submits, on instructions, that the respondent/Judgment Debtor would ensure that no such default/delay would occur henceforth.

4. At this stage, in view of the above submissions, learned Senior Counsel for the applicant/Decree Holder states, upon instructions, that he does not press the present application.

5. Considering the aforesaid, the application is disposed of as not pressed.

MANOJ KUMAR OHRI, J

JANUARY 22, 2025/rd