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

Date of decision: 16th August, 2024

+ CM(M) 3175/2024 & CM APPL. 47003/2024

SUNIL KUMAR MEHRA & ANR.Petitioners

Through: Mr. Arvind Dhingra, Advocate.

versus

MS RP AND COMPANY & ORS.Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioners had filed an eviction petition on the ground of bonafide requirement and such eviction petition was decided in their favour and eviction order was passed on 26.03.2022. The revision filed against such eviction order has also been dismissed by this Court on 22.08.2022.
2. The petitioners, accordingly, filed an execution petition.
3. The prayer in the present petition is very limited and it is prayed that the learned Trial Court may be requested to expedite such execution.
4. Learned counsel for the petitioners has, very fairly, admitted that during the course of the execution proceedings, certain objections have been filed by the judgment debtor as well as by third party and these objection petitions are yet to be adjudicated.
5. The attention of the Court has also been drawn towards various



orders passed by the learned Executing Court and, at one point of time, even the arguments were heard in part. It is also, however, noticed that on 17.05.2024, the proxy counsel for the Decree Holders had himself sought a short adjournment. The execution petition is now listed for further consideration on 04.09.2024.

6. It is contended that the Decree Holders are senior citizens and they will not be able to reap the fruits of the eviction in case there is further unnecessary delay in the adjudication.

7. Keeping in mind the overall facts and circumstances of the case, the age of the Decree Holders and the fact that the matter was earlier heard in part by the learned Executing Court, the learned Executing Court is requested to consider the objections and after hearing both the sides, to dispose those of, as expeditiously as possible.

8. Needless to say, learned counsel for the petitioner would also be at liberty to press for disposal of the execution relating to grant of mesne profit/damages and the learned Trial Court shall consider the same and, after hearing both the sides, shall adjudicate the same also in accordance with law.

9. The petition stands disposed of in the aforesaid terms.

(MANOJ JAIN)
JUDGE

AUGUST 16, 2024
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