



\$~68

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

Date of decision: 16th August, 2024

+ CM(M) 3178/2024 & CM APPL. 47057-47058/2024

HARI SINGH

.....Petitioner

Through: Mr. Harsh Kumar with Ms. Sikha
Gogoi and Mr. Neel Kumar Sharma,
Advocates.

versus

PREM SINGH

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioner is a judgment debtor in Ex. No.785/2016.
2. The Judgment Debtor was duly represented through his counsel before the learned Executing Court on 31.07.2024. The learned Executing Court directed the Judgment Debtor also to appear in person on next date and to make the payment as per the statement made by his counsel that day.
3. During course of the arguments, learned counsel for the petitioner has, very fairly, stated that on 31.07.2024, counsel for the Judgment Debtor had made statement that the Judgment Debtor would make payment of Rs.2,00,000/-, i.e. the balance decretal amount and, accordingly, the learned Executing Court had fixed up the matter for 09.08.2024 for payment and to satisfy the claim of the Decree Holder.
4. On 09.08.2024, the counsel for the Judgment Debtor did not appear as he was suffering from jaundice but since no payment had



been made either, as already undertaken from the side of the Judgment Debtor, the learned Executing Court directed issuance of arrest warrants against the Judgment Debtor. Such arrest warrants are returnable on 17.08.2024.

5. During course of the arguments, learned counsel for the petitioner has stated that he has no intention to revert from the statement made by his counsel and is ready to make the payment of Rs.2,00,000/- tomorrow i.e. 17.08.2024 before the learned Executing Court. It is also undertaken that if there is any further balance of the decretal amount, he would seek appropriate time in this regard from the learned Executing Court and would ensure that even such balance amount is paid.

6. In view of the aforesaid statement given by the learned counsel for the petitioner, the present petition is disposed of with the direction that the arrest warrant be kept in abeyance. However, at the same time, as undertaken before this Court, the Judgment Debtor would appear in person before the learned Executing Court on 17.08.2024 and would make payment of Rs.2,00,000/- to the Decree Holder.

7. The present petition stands disposed of in the aforesaid terms.

8. Copy of the order be given Dasti under the signatures of the Court Master.

(MANOJ JAIN)
JUDGE

AUGUST 16, 2024
st