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

% ***Date of decision' 01st October, 2024***

+ **CM(M) 3518/2024 & CM APPL. 57643-57644/2024**

HARPREET SINGH BATRA & ORS.Petitioners

Through: **Mr. Alankrit Bhatnagar with
Mr. Suryansh Vashishth, Advocates.**

versus

TIJU THOMAS & ANR.Respondents

Through: **Mr. Kuriakose Varghese with Ms.Isha
Ghai, Advocates.**

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioners are aggrieved by order dated 05.09.2024 as well as 30.05.2024.
2. Petitioners herein have suffered a decree and the execution petition is pending before learned National Consumer Disputes Redressal Commission (in short 'NCDRC). Earlier, NBWs had been issued against the petitioners and since the NBWs had returned unexecuted, learned NCDRC sought a report in this regard from the concerned police authorities.
3. It is important to note that the learned counsel for the Judgment Debtor had appeared before the learned NCDRC on 05.09.2024 and himself submitted that he would be filing *payment schedule* within three working days and to ensure payment of the entire decretal amount



in additional three installments to be spread over in next three months.

4. Learned NCDRC, accordingly, directed the Judgment Debtor to do so i.e. to submit payment schedule within three working days with advance copy to the opposite counsel, showing up-to-date calculation.
5. When asked, learned counsel for the petitioners submitted that such payment schedule has still not been submitted before learned NCDRC.
6. The petitioners seek to recall the coercive process but, as noticed above, at the same time when there is a specific direction to them to submit a payment schedule, for totally inexplicable reasons, the same has not been complied with. The direction to submit such schedule was only as per the statement made by learned counsel for the Judgment Debtor.
7. Viewed thus, there is no reason to interfere with the impugned order. The petition is, accordingly, dismissed.
8. Needless to say, the petitioner would still be at liberty to submit such schedule before learned NCDRC.

(MANOJ JAIN)
JUDGE

OCTOBER 01, 2024/st