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

% ***Date of decision: 23rd October, 2024***

+ CM(M) 3695/2024 & CM APPL. 62640/2024 & CM APPL.
62641/2024

DELHI URBAN SHELTER IMPROVEMENT BOARD

.....Petitioner

Through: Mr. Rishikant Singh, Mr. Vinay Rathi,
Mr. P. Siroha, Mr. Himanshu Singhal,
Advocates Mr. Vijay Kr. Maggo (Law
officer) and Mr. Raju Sirsika (Deputy
Director).

versus

ZILE SINGH THR LRS

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Delhi Urban Shelter Improvement Board (DUSIB) has filed present petition challenging order dated 18th October, 2024.
2. When asked, learned counsel for DUSIB (now Judgment-Debtor) informed that earlier a shop had been allotted to one Sh. Zile Singh.
3. Such allotment was purely on *license-basis*.
4. However, it seems that when Sh. Zile Singh lost possession of said shop, he was compelled to file a suit seeking possession and declaration. Such suit was, initially, dismissed by the learned Trial Court but when plaintiff filed a *Regular First Appeal*, the above said judgment was set aside by this Court and, resultantly, the suit was decreed in terms of issue No. 1, 2



and 3.

5. Such judgment passed by RFA Court is of 5th April, 2018 and it has already attained finality as there is no challenge to the above.

6. Pursuant to the above said, execution petition was filed.

7. Such execution was filed way back in the year 2019 and, eventually, the learned Executing Court has directed DUSIB to handover possession of the suit shop to Ms. Angoori Devi (widow of Sh. Zila Singh) within two days and also to file a report.

8. The matter is now fixed before the learned Executing Court on 25th October, 2024 for compliance.

9. During course of the arguments, learned counsel for DUSIB, on instruction, states that they would ensure that the possession is handed over to her on or before 25th October, 2024, and they would also file a *Compliance Report* in this regard before learned Executing Court. However, he states that even after handing over the possession, there are certain procedural formalities which need to be complied with by said occupant Ms. Angoori Devi and a direction be issued to her to comply those, after receiving the possession.

10. The present petition is accordingly disposed of with direction to DUSIB to handover possession of the suit shop to respondent on or before 25th October, 2024.

11. In case any procedural formalities are required to be complied with by Ms. Angoori Devi, learned Executing court would keep the above said aspect in mind and it is expected that it would, after hearing both the sides, issue necessary directions in this regard.

12. Needless to say, such directions have to be within the four corners of



the decree in question.

13. It is also clarified that in case the possession is handed over on or before 2^{5th} October, 2024, the concerned Deputy Director would not be required to appear in person before the learned Executing Court.

14. The petition is, accordingly, disposed of.

15. Order *dasti*, under the signatures of the Court Master.

(MANOJ JAIN)
JUDGE

OCTOBER 23, 2024/ss