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

+ **CM(M) 3818/2024**

INDU ROHATGI AND ANRPetitioner

Through: Mr. K. K. Rohatgi, Advocate.

versus

SH PAWAN KUMAR JAIN AND ORSRespondent

Through: Advocate (Appearance not given)

CORAM:
HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

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13.11.2024

CM APPL. 66375/2024 (exemption from filing certified copies etc.)

Allowed, subject to all just exceptions.

The application stands disposed of.

CM(M) 3818/2024

By virtue of the present petition, the petitioner has made a prayer for issuing direction to the executing court to conduct the proceedings on a day to day basis and to decide the execution petition within a period of one month.

The learned counsel submits that both the petitioners are senior citizens aged about 75 and 79 years respectively.

The consent decree was passed in the year 2016 but decree has not been executed till date and there has been an inordinate delay of about 8.5 years in execution of the decree.



The learned counsel places reliance on “*Rahul S. Shah v. Jitendra Kumar Gandhi and Others (2021) 6 SCC 418*”, to submit that as per directions of the Supreme Court, the executing court must dispose of the execution proceedings within a period of six months from the date of filing and which may be extended only by recording the reasons for such delay in writing.

Even though, Court is not aware of the status of the board of the executing court, still bearing in mind the exceptional delay in the disposal of the execution application and the fact that the petitioners are senior citizens, the learned executing court is hereby directed to decide the execution petition in the most expeditious manner and also bearing in mind the directions passed by the Hon’ble Supreme Court in the case of *Rahul S. Shah v. Jitendra Kumar Gandhi and Others (2021) 6 SCC 418*.

Learned counsels for the parties are requested to render their due co-operation to the executing court.

Petition is accordingly disposed of.

RAVINDER DUDEJA, J

NOVEMBER 13, 2024/ sky