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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 935/2025, CM APPL. 30574/2025 & CM APPL. 30575/2025
RAJAT TYAGIPetitioner

Through: Mr. Rakesh Chander Agrawal and
Mr. Kartik Kumar Agarwal,
Advocates.

versus

PHOOL KUMARRespondent

Through: None

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
19.05.2025

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1. Petitioner/Judgment Debtor is aggrieved by order dated 13.05.2025 whereby the learned Trial Court has issued *warrant of possession* of the shop in question.
2. The impugned order would reflect that, earlier, the parties had entered into settlement and the Judgment Debtor/petitioner agreed to make payment of Rs.44 lacs by March, 2025. Admittedly, out of the abovesaid amount, the Judgment Debtor has, merely, paid a sum of Rs.5,50,000/-. It seems that keeping in mind his such conduct and the fact that he did not comply with the terms and conditions of the *Settlement Agreement*, the learned Trial Court was compelled to issue *warrant of possession* of the shop in question.
3. During course of the arguments, learned counsel for the petitioner submitted that as per the instructions, which he has now received, the petitioner is not interested in pursuing with the present



petition and, without prejudice to his rights and contentions, seeks to withdraw the same.

4. Simultaneously, since the petitioner is desirous of making the entire payment of the balance decretal amount on or before 08.07.2025, he seeks liberty to move appropriate application in this regard before the learned Executing Court, tomorrow itself.

5. Petitioner is given liberty to move any such application by tomorrow. If any such application is moved, the learned Trial Court, after taking response from the concerned Decree Holder, shall dispose of the same, in accordance with law.

6. The petition is, accordingly, disposed of as not pressed with abovesaid liberty.

7. Pending applications also stand disposed of.

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

MANOJ JAIN, J

MAY 19, 2025
st/js



This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

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