



\$~55&57

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

% ***Date of Decision: 21st May, 2025***

+ CM(M) 948/2025, CM APPL. 31076/2025 & CM APPL. 31077/2025
SUSHIL ANSALPetitioner

Through: Mr. Malak Bhatt with Ms. Neeha
Nagpal and Mr. Saahil Bahety,
Advocates.

versus

ANKUR DHAWAN & ANR.Respondent

Through: Mr. Kirti Uppal, Sr. Advocate with
Mr. Gaurav Rathor and Ms. Astha
Dhawan, Advocates.

57

+ CM(M) 950/2025, CM APPL. 31080-31081/2025
PRANAV ANSALPetitioner

Through: Mr. Malak Bhatt with Ms. Neeha
Nagpal and Mr. Saahil Bahety,
Advocates.

versus

ANKUR DHAWAN & ANR.Respondent

Through: Mr. Kirti Uppal, Sr. Advocate with
Mr. Gaurav Rathor and Ms. Astha
Dhawan, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Both the petitions have been taken up together.
2. The impugned order is dated 01.05.2025 and has been passed by by ld. District Consumer Disputes Redressal Commission (hereinafter referred to as *District Commission*) while taking up Execution Petition registered as EX No. 133/2024. Such order reads as under:-



*“Present: Mr. Gaurav Rathor, Counsel for DH
Ms. Saloni, counsel for the JD.*

ORDER

A decree was passed by this Commission on 06.08.2024 thereby directing the JD/OPs to refund Rs.14,81,904.45 with interest @ 9% per annum from the date of respective deposits till realization within 4 weeks.

Since the JD has failed to comply with the Decree, the DH has approached this Commission through the present execution application.

Notice was issued to the JD on 10.12.2024. On 10.01.2025, the counsel for the JD sought time to file compliance report. The JD has not complied with the order. In view of the facts and circumstances of the present case, it is directed that Non-bailable Warrants be issued against the MD /Directors of the JD, returnable on 27.05.2025. The Registry shall also issue RC to the SDM concerned to recover the decretal amount from the JD and deposit the same with this Commission.

List on 27.05.2025.”

3. Learned Senior Counsel for respondent/Decree-Holder appears on advance notice.
4. During course of the arguments, learned counsel for the petitioners Mr. Sushil Ansal and Mr. Pranav Ansal submitted that, without prejudice to their rights and contentions, they both would appear before the learned District Commission on 27.05.2025 and would render due assistance and cooperation to the learned Executing Court.
5. It is also submitted that, though, petitioner Mr. Sushil Ansal is eighty five years old, he would still appear before the learned District Commission on said date and would also make request for his exemption from personal appearance while undertaking that his counsel would render full assistance and corporation to the learned District Commission.
6. Learned counsel for petitioner has also submitted that the impugned order was challenged by him, by filing an appeal before the Delhi State



Consumer Disputes Redressal Commission. However, since they did not get any early date of hearing there and since the warrants were looming large on their head, they were compelled to file present petitions. It is submitted that in view of the abovesaid relief granted to them, the petitioners would also withdraw their such appeals. Let these be withdrawn accordingly.

7. On the basis of such assurance given at the Bar by Shri Malak Bhatt, learned counsel for the petitioner, Shri Kirti Uppal, learned Senior Counsel for Decree-Holder, on instructions, submits that he would have no objection if *non-bailable warrants* are recalled, for the time being.

8. Both the petitions stand disposed of with directions to petitioners to appear before the learned District Commission on 27.05.2025. *Non-bailable warrants* also stand recalled.

9. Once the petitioners appear before the learned District Commission, it will be upto the learned District Commission to consider any application moved by them and then to pass appropriate order in accordance with law.

10. Petitions stand disposed of in aforesaid terms.

11. A copy of this order be given *dasti* under the signatures of Court Master.

(MANOJ JAIN)
JUDGE

MAY 21, 2025/sw/PB