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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 1344/2025 & CM APPL. 44235/2025 & CM APPL.
44236/2025
M/S SIMPLEX INFRASTRUCTURE LTD

.....Petitioner

Through: Mr. Samrat Nigam, Sr. Advocate with
Mr. Rahul Jain, Mr. Prakhar Mani
Tripathi and Ms. Arpita Rawat,
Advocates.

versus

DUBAI PLASTER DRY MIX LLC

.....Respondent

Through: None.

+ CM(M) 1345/2025 & CM APPL. 44239/2025 & CM APPL.
44240/2025
M/S SIMPLEX INFRASTRUCTURE LTD. & ORS.

.....Petitioner

Through: Mr. Samrat Nigam, Sr. Advocate with
Mr. Rahul Jain, Mr. Prakhar Mani
Tripathi and Ms. Arpita Rawat,
Advocates.

versus

DRY MIX CO. (PLAXIT) LLC

.....Respondent

Through: None.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
24.07.2025

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1. The petitioners herein are resisting two separate execution petitions filed by different decree holders.
2. The grievance is with respect to the order dated 10.07.2025 whereby

CM(M) 1344/2025 & CM(M) 1345/2025

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the learned Executing Court has directed Managing Director of the petitioner-Company to remain present in Court on next date of hearing with the affidavit as to movable and immovable assets of the JD Company.

3. Learned Trial Court has also clarified that if Managing Director is not able to come personally, he would ensure presence of another Director so that learned Trial Court is in a position to proceed further with the execution as well as objection petition.

4. Learned Senior Counsel for the petitioner submits that there is no resistance to the abovesaid directions passed by the learned Executing Court and the affidavits would be filed but supplements that two other connected Execution Petitions are pending adjudication before this Court and, when such Execution Petitions were taken up by this Court, part payment had been made by Judgment Debtor and counsel for the Decree Holder had himself made a statement before this Court that he would make appropriate request before the learned Executing Court situated at Saket, New Delhi to roll over the next date in such Execution Petitions beyond the dates fixed by this Court.

5. In this regard reference has been made to order dated 01.03.2024.

6. Learned Senior Counsel for petitioner submits that such order continues to remain in operation but, somehow, the learned Trial Court is now insisting for disposal of Execution Petition and may take up objection petition, which may hamper chances of possible amicable solution of the matters.

7. None appears on behalf of the decree holder despite advance notice and due intimation given by the learned counsel for the petitioner to them.

8. However, after hearing arguments for some time, learned Senior Counsel for petitioners, on instructions, submits that he does not press the



present petitions and would rather move appropriate applications before this Court (where Execution Petitions i.e. Execution Petition No.6/2023 and Execution Petition No.7/2023 are pending) seeking requisite clarification in this regard so that hearing in said two Execution Petitions pending in District Courts is suitably deferred.

9. He submits that affidavit would be filed before the learned Executing Court as per the directions contain in impugned order.

10. The petitions are, accordingly, disposed of as not pressed on the assurance that the affidavits would be filed before the learned Executing Court, Saket, New Delhi.

11. The learned Executing Court situated at Saket, New Delhi is, however, requested to defer the hearing of the objection petition in the Execution Petitions till 30.07.2025. This is to enable the petitioners herein to seek appropriate clarification in view of aforesaid.

12. A copy of this Order be given *dasti* under the signatures of Court Master.

MANOJ JAIN, J

JULY 24, 2025/ss/pb