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

+ **C.R.P. 215/2025 & CM APPL. 45138/2025**

SANAM GULATI THORUGH SPAPetitioner

Through: Mr. Kapil Gulati and Mr. Dhiraj
Mohan, Advs.

versus

V K GUPTA

.....Respondent

Through:

(56)

+ **C.R.P. 216/2025 & CM APPL. 45139/2025**

BHAVNA GULATI THROUGH SPAPetitioner

Through: Mr. Kapil Gulati and Mr. Dhiraj
Mohan, Advs.

versus

V K GUPTA

.....Respondent

Through:

(57)

+ **C.R.P. 217/2025 & CM APPL. 45141/2025**

KIRAN GULATI (SINCE DECEASED) THROUGH
SPAPetitioner

Through: Mr. Kapil Gulati and Mr.
Dhiraj Mohan, Advs.

versus

V K GUPTA

.....Respondent

Through:

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

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28.07.2025

1. The present Petitions have been filed on behalf of the Petitioners under Section 115 of the Code of Civil Procedure, 1908 [hereinafter referred to as "CPC"] against three orders all dated 07.03.2025 [hereinafter referred



to as “Impugned Orders”] passed by learned ADJ-03, North District, Rohini Court, Delhi in (i) Execution Petition Civil bearing No.543/2022 captioned ***Sanam Gulati v. V.K. Gupta***; (ii) Execution Petition Civil bearing No.545/2022 captioned ***Bhavna Gulati v. V.K. Gupta***; and (iii) Execution Petition Civil bearing No.544/2022 captioned ***Kiran Gulati v. V.K. Gupta***.

2. By the Impugned Orders, the Execution Petitions as filed by the Petitioners have been dismissed by the learned Trial Court along with Applications that have been filed by the Petitioners for seeking directions of this court to direct the developer to file the complete documents.

3. The grievance of the Petitioners is that the Petitioners have obtained decrees all dated 12.09.2022 from the learned Trial Court, wherein amounts are payable by the Respondent/Judgment Debtor, however, the learned Trial Court has dismissed the Execution Petitions with a finding that the Respondent/Judgment Debtor has no means to pay.

4. Learned Counsel for the Petitioners draws the attention of the Court to the Income Tax Returns forms of the Respondent/Debtor from the Assessment Year 2015-16 to Assessment Year 2023-24 as well as the bank statements of the Respondent/Judgment Debtor to submit that the professional receipts and net current assets show that monies are available with the Respondent/Judgment Debtor.

4.1 Reliance is placed by the learned Counsel for the Petitioners on the following tabular extract, which forms part of the Petition:

“The Tabular representations of the financials of Respondent in various preceding years are shown as below:

S. No.	ASST. YEAR	PROFESSIONAL RECEIPT (in rupees)	NET CURRENT ASSETS
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1.	2017-2018	23,58,790/-	24,65,591/-
2.	2018-2019	8,78,408/-	49,26,156/-
3.	2019-2020	10,36,207/-	54,94,785/-
4.	2020-2021	15,54,980/-	36,79,601/-
5.	2021-2022	18,27,165/-	39,28,703/-
6.	2022-2023	20,25,750/-	35,55,400/-
7.	2023-2024	21,95,970/-	5,78,450/-

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The details of the credit in various accounts of Respondent are summarized as hereunder:-

S. No.	Period	Amount Credited (in Rs.)	Account
1.	09.08.2020 to 20.03.2023	7,10,612/-	Bank of Baroda A/c no. 42470100012030
2.(i)	27.02.2020 to 26.02.2021	14,34,954/-	SBI account bearing no. 00000035217240530
(ii)	03.03.2021 to 07.02.2022	6,28,100/-	
(iii)	25.02.2022 to 25.03.2023	13,29,477/-	
3. (i)	10.06.2020 to 12.09.2022	31,04,443/-	PNB, Branch Gujranwala Town, A/c1470002100030282
(ii)	23.09.2022 to 30.03.2023	5,83,434/-	
4.	2017-18	47,55,179/-	HDFC BANK a/c 02471930000577

...“

5. Learned Counsel for the Petitioners further submits that despite these documents being available on record, the learned Trial Court has dismissed the Execution Petitions filed by the Petitioners.

6. The record reflects that the Impugned Orders not only dismissed the interim applications filed by the Petitioners but also dismissed the Execution Petitions in totality.

7. After some arguments, learned Counsel for the Petitioners seeks and is granted permission of the Court to withdraw the present Petition with



liberty to file appropriate proceedings in accordance with law.

8. The Petitions are accordingly dismissed as withdrawn with liberty as prayed for. The pending Applications stand closed.

9. The parties will act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

JULY 28, 2025/ ha/r