



2025:DHC:7529



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

% *Date of Decision: 29th, August, 2025*+ CM(M) 1659/2025 & CM APPL. 54022-54023/2025
UNION OF INDIA & ANR.

.....Petitioner

Through: Mr. Shashank Dixit, CGSC with Mr.
Aakash Tyagi, Advocates along with
Mr. Vishesh Kumar, Section Officer
(L&DO).

versus

SHRI NILENDER PRAKASH

.....Respondent

Through: Mr. Naresh T. and Mr. Abhishek
Mishra, Advocates.+ CM(M) 1671/2025 & CM APPL. 54388-54389/2025
UNION OF INDIA & ANR.

.....Petitioner

Through: Mr. Shashank Dixit, CGSC with Mr.
Aakash Tyagi, Advocates along with
Mr. Vishesh Kumar, Section Officer
(L&DO).

versus

SHRI NILENDER PRAKASH

.....Respondent

Through: Mr. Naresh T. and Mr. Abhishek
Mishra, Advocates.**CORAM:****HON'BLE MR. JUSTICE MANOJ JAIN****J U D G M E N T (oral)**

1. Both the present petitions have been filed by Union of India under Article 227 of Constitution of India challenging order dated 01.08.2025.
2. The petitioners have already suffered separate decrees and, pursuant to



such decrees, which have already attained finality, separate execution petitions have been filed.

3. On the basis of the statement made by the learned counsel for the judgment debtor that they were seeking budgetary allocation, the request of the decree holder for issuances of *warrants of attachment* was kept in *abeyance* for a period of 30 days which is now expiring on 31.08.2025.

4. Apparently, there is no illegality or perversity in the impugned order and the above time was of 30 days rather given on the basis of request coming from the side of the judgment debtor themselves. If they felt that the budgetary allocation has yet not been received, they could have, instead of knocking the doors of supervisory Court, filed appropriate application before the learned Executing Court, seeking additional time.

5. It is, therefore, not clear as to on what premise, the present petitions have been filed when the time had been granted to them on the basis of their own request.

6. Be that as it may, learned counsel for decree holder is present on advance notice.

7. During course of the consideration of both these petitions, learned counsel for petitioner, on instructions, submits that the decretal amount would be paid on or before 15.10.2025.

8. Such statement is taken on record.

9. Learned counsel for decree holder submits that, in view of the above, he would not take any further coercive steps in the matter till 15.10.2025. However, if the situation remains the same, besides obtaining *warrants of attachment*, he would also make a prayer before the learned Executing Court seeking imposition of heavy cost upon the judgment debtor for delaying



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execution.

10. In view of the above, both the petitions are hereby disposed of with the direction to the petitioner to clear the decretal amount on or before 15.10.2025 and till then, let there be no issuance of coercive process.

11. The parties are also directed to appear before the learned Executing Court on 15.10.2025 and on said date, learned Trial Court, after assessing further development, would proceed further with the matters, in accordance with law.

12. The present petitions are disposed of in aforesaid terms.

13. The pending applications also stand disposed of in aforesaid terms.

14. A copy of this order be given *dasti* under the signatures of Court Master to learned counsel for both the sides.

(MANOJ JAIN)
JUDGE

AUGUST 29, 2025/ss/pb