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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 18421/2025 & CM APPL. 76279/2025, CM APPL.
76280/2025

MR HEMRAJ

.....Petitioner

Through: Mr. Krishan Kant Singh, Adv.

versus

THE ASSISTANT COLLECTOR GRADE I

& ORS.

.....Respondents

Through: Mr. Akshay Bhardwaj, Adv.

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

04.12.2025

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1. Heard.

2. The prayer in the present petition reads thus:

- a) *Issue a writ of certiorari quashing:*
 - i. *The arbitral award dated 5th July, 2003 passed against the petitioner;*
 - ii. *All execution proceedings including attachment order and recovery notice dated 02nd June, 2025 issued by respondent nos.1 & 3;*
- b) *Declare that the petitioner is not liable for any debt to respondent no.3 and that his name was fraudulently included in the arbitral proceedings;*
- c) *Direct respondent no.1 to release the attached land in Punjab and remove the Petitioner's name from all recovery records;*
- d) *Award exemplary costs of the petition;*
- e) *Pass any other order (s) as this Hon'ble Court deems just and proper.*

3. The award dated 05th July, 2003 passed against the petitioner and the execution proceedings thereunder, which led to the passing of the recovery



notice dated 02nd June, 2025, is questioned in the present petition. A declaration is also sought that the petitioner is not liable for the debt of respondent no.3 and his name is fraudulently included in the present arbitral proceedings.

4. It is not that the petitioner has no alternate remedy against the award in question, as he could have taken proceedings before the *Delhi Cooperative Tribunal* (hereinafter referred to as ‘DCT’) against the award dated 05th July, 2003.

5. Apart from above, the fact remains that the award is questioned directly before this Court invoking extraordinary jurisdiction after a period of almost 22 years, that too without explaining the delay.

6. An attempt made by the petitioner to declare him personally insolvent in independent civil proceedings was also answered against him through a judgment dated 02nd April, 2025 passed by the Civil Judge, Saket Court, New Delhi.

7. In this background, we see no reason to entertain the petition and exercise any extraordinary jurisdiction.

8. The petition, accordingly, stands dismissed. Pending applications also rendered infructuous.

9. Order be uploaded on the website of this Court.

NITIN WASUDEO SAMBRE, J

ANISH DAYAL, J

DECEMBER 4, 2025

Ab/st