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

+ C.R.P. 64/2026, CM APPL. 16957/2026 CM APPL. 16959/2026

MOHD. SHAKEEL & ANR.

.....Petitioners

Through: Ms. Zubeda Begum, Ms. Sana Ansari,
Mr. I Ahmed, Mr. Ayush Gandhi &
Ms. Hardeep Kaur, Advs along with
petitioner nos. 1 & 2 in person

versus

MOHD. ISLAM (SINCE DECEASED) THROUGH HIS LRS &
ANR.

.....Respondents

Through: Mr Vijay Gupta and Mr. Mehul
Gupta, Advs.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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14.05.2026

1. *Ms. Zubeda Begum*, counsel for petitioner, contends that the impugned order dated 07th March 2026 passed by Executing Court issuing warrants for possession of suit property, *i.e. Shop No. 3686, Phool Mandi, Daryaganj, Delhi*, as per the site plan indicated in red colour could not have been passed.

2. She states that the decree dated 11th January 2022 which has been sought to be executed, merely decreed the suit partly in favour of respondents/plaintiff restraining petitioner/defendant from dispossessing respondents/plaintiff from the suit property and from obstructing respondents/plaintiff from carrying out the business of sale of vegetables, while the injunction order stood further fructified by this Court *vide* order dated 27th October 2022.

3. A Regular Civil Appeal was filed against the said decree before the



Additional District Judge (*‘ADJ’*), and by order dated 25th May 2023, a decree was passed for mandatory injunction, as well as, perpetual injunction to the effect that respondent/plaintiff be put into possession of the suit property and petitioner/defendants were restrained from dispossessing the respondent/plaintiff from the suit property.

4. Against the said decree dated 25th May 2023, the petitioners have preferred an ***RSA No.142/2023***, which is pending before a Coordinate Bench of this Court and is presently listed on 14th July 2026.

5. All the petitioners and respondents are present in Court and have been duly identified by their respective counsels.

6. In the meantime, subject to the orders passed in the Regular Second Appeal [***‘RSA’***], the petitioners have no objection to comply with the decree as passed on 25th May 2023.

7. Accordingly, the petitioners state that, subject to the final orders in the RSA, they shall, in the meantime, comply with the decree dated 25th May 2023, inasmuch as they shall provide unhindered access to respondents and permit them to enter the suit property and sell their vegetables, etc. from the premises. Petitioners further undertake not to interfere with the sale of vegetables, etc. by respondent from the said premises.

8. *Mr. Vijay Gupta*, counsel for respondents, on instructions, states that respondents will also not interfere with the selling of vegetables, etc by petitioners from the said premises.

9. The aforesaid undertakings have been given by both parties in the presence of their respective counsels before this Court and shall be duly complied with and the parties shall remain bound by the same.

10. Needless to state, that this is an interim arrangement which is arrived at on the basis of these undertakings and will be subject to the orders in the



RSA.

11. Considering that undertakings have been given, the impugned order dated 07th March 2026 passed by the Civil Judge (Central) Tis Hazari Courts in Execution 519/2025, as also order dated 17th April 2026, shall become infructuous.

12. In view of the above, this petition stands disposed of. Pending applications are rendered infructuous.

13. Copy of order be given *dasti* under signature of the Court Master.

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

ANISH DAYAL, J

MAY 14, 2026/sm/zb