



\$~2

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ EX.F.A. 33/2026 & CM APPL. 26323/2026, CM APPL. 26324/2026
CM APPL. 26325/2026, CM APPL. 26326/2026
RAKESH MAGGONAppellant
Through: Ms. Manasi Chatpalliwar, Mr. Aditya
Singh & Mr. Anany Singh, Advs.
versus

TEJINDER SINGHRespondent
Through: Mr. Ankur Jain, Adv.

CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

13.05.2026

%

1. This hearing has been done through hybrid mode.
2. The present appeal under Order XXI Rule 58 (4) of the Code of CPC seeks the following prayers: -

“A. Allow the present appeal and set aside the impugned order dated 15.11.2025 passed by the Ld. Court of DJ-06, West District, Tis Hazari in Execution No. 70 of 2020, specifically with regard to the finding that characterizes the Appellant as a "debtor of the Judgment Debtor" and therefore, Garnishee under Order XXI Rule 46-C CPC;

B. Pass an order declaring that the Appellant is the sole owner of Plot No. 23, Pocket A, Sector 2, measuring 250 sq. mtrs. at Bawana, Delhi and there is no share of Appellant's brother Mr. Chander Mohan Maggon in the said plot;

C. Pass an order, in the interest of justice, discharging the Appellant from the execution proceedings;



D. Pass any other order as it may deem fit and proper in the interest of justice.”

3. After some arguments, learned counsel for the appellant had sought time to take appropriate instructions. On second call, learned counsel for the appellant, on instructions, submits that she seeks leave to withdraw the present appeal with liberty to pursue the remedies available to the appellant as permissible in law.
4. The present appeal is dismissed as withdrawn and disposed of.
5. Pending application(s), if any, also stands disposed of accordingly.
6. Needless to state that appellant is always at liberty to pursue his remedies as available in law in the execution proceedings pending before learned Executing Court.
7. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J

MAY 13, 2026/nk