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

\+ OMP (ENF.) (COMM.) 132/2022 & EX.APPL.(OS) 3126/2022, EX.APPL.(OS) 3705/2022, EX.APPL.(OS) 234/2026

KIRAN SEHGAL .....Decree Holder

Through: Ms. Palkriti N. Pande, Advocate

versus

M/S ANAND DIVINE DEVELOPERS PVT. LTD. & ORS. .....Judgement Debtors

Through:

CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

<u>O R D E R</u>

% **18.02.2026**

1. On 18.12.2024 this Court passed the following Order:-

> *"1. After some hearing, the decree holder who is present in person and the learned counsel for the judgment debtors, on instructions, have agreed as under:*
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> *(i) that on or before 31.03.2025, the judgment debtors shall clear all the outstanding/s payable to the ICICI Bank in respect of the loan availed by the decree holder from the ICICI Bank, pursuant to the agreement dated 04.08.2014 entered into between the decree holder and M/s Anand Divine Developers Pvt. Ltd. The judgement debtors shall be jointly and severally liability to pay the entire outstanding dues of ICICI Bank. It is assured and undertaken on behalf of the judgement debtors, on instructions, that till all the outstanding dues are discharged and the loan is foreclosed, the respondents/judgment debtors*

shall continue to pay the EMIs to ICICI Bank. It is further assured and undertaken that the loan account shall be closed latest by 31.03.2025.

(ii) it is agreed that on or before 31.03.2025, the judgment debtors shall pay an amount of Rs. 1,73,73,157/- to the decree holder. The judgment debtors shall be jointly and severally liable to pay the said amount to the decree holder. In the event of non-payment on or before 31.3.2025. the amount shall carry interest @ 18% with effect from 30.01.2022 i.e. the date on which the liability under Samadhan Agreement entered into between the parties, was to be discharged.

2. It is further agreed that besides other consequences, any lapse on the part of the judgement debtors in complying with the aforesaid directions shall be construed as egregious contempt of order/s of this Court, for which the judgment debtors shall be liable to face appropriate action under the Contempt of Court Act, 1971.

3. List for reporting compliance on 09.04.2025."

2. A perusal of Paragraph 1(ii) of the said Order indicates that it was agreed by the parties, i.e., between the Decree Holder and the Judgment Debtor, that on or before 31.03.2025, the Judgment Debtor was bound to pay a sum of Rs. 1,73,73,157/- to the Decree Holder and in the event of non-payment on or before 31.03.2025, the amount was to carry interest @18%, with effect from 30.01.2022.

3. It is stated by the learned Counsel for the Decree Holder that the amount of Rs. 1,73,73,157/- was not paid on or before 31.03.2025 and the amount was paid in separate tranches. The manner in which the amount of

Rs.1,73,73,157/- was paid to the Decree Holder is reproduced as under:-

10

DOCUMENT 3

CALCULATION SHEET

1. Computation of Interest @ 18% p.a. on Principal Amount of ₹1,16,77,884/- from 30 January 2022 to 11 August 2025:

	Principal at Start (₹)	Days	Interest for Period @ 18% (₹)	Payment Received (₹)	Principal After Payment (₹)	Explanation
30 January 2022 to 19 May 2025	₹1,16,77,884.00	1205	₹69,39,542.57	₹20,00,000.00	₹96,77,884.00	No payments made during this period, full principal accruing interest until first payment.
20 May 2025 to 11 July 2025	₹96,77,884.00	53	₹2,48,178.07	₹26,70,966.00	₹70,06,918.00	Second payment reduces outstanding principal; interest charged only on remaining amount.

11 July 2025	₹70,06,918.00	0	₹0.00	₹66,05,231.00	₹4,01,687.00	Major payment;
						principal almost cleared.
11 July 2025	₹4,01,687.00	0	₹0.00	₹3,30,010.00	₹71,677.00	Smaller payment reduces balance further.
11 July 2025	₹71,677.00	0	₹0.00	₹87,000.00	₹-15,323.00	Final payment slightly exceeds principal by ₹15,323.
11 July 2025 to 11 August 2025	₹-15,323.00	31	₹-234.25	₹0.00	₹-15,323.00	No principal left; small negative shows overpayment of principal. No furthe r interest accrues.

12

TOTAL INTEREST AS ON 11.08.2025					71,87,486.39	
INTEREST FOR PERIOD11.08.2025 TO 18.02.2026		191			6,77,002.14	

Total Interest till 18 February 2026: ₹78,64,488.53

2. Excess amount paid by Decree Holder towards payment of loans repaid by Decree holder between 2022 to 2025: ₹ 24,39,682

TOTAL AMOUNT RECEIVABLE : ₹1,03,04,170.53

4. The Order dated 18.12.2024 indicates that the Judgment Debtor is obliged to pay interest on the delayed payment from 30.01.2022, till the date on which amounts have been paid to the Decree Holder. The Judgment Debtor will have to pay interest on delayed payments.

5. It is ordered accordingly.

6. Needless to state, it is always open to the Judgment Debtor to get a clarification of the Order dated 18.12.2024.

7. In any event, the Order dated 18.12.2024 also makes it clear that any

delay shall amount to contempt of Court, as a breach of undertaking. In the opinion of this Court, the said Order has already been breached by the Judgment Debtor.

8. The Petition is disposed of in terms of the above observations, along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

FEBRUARY 18, 2026
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