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

\# **CNR No. DLHC010348242026**

\+ CONT.CAS(C) 1347/2026 and CM APPL. 50163/2026

HARVINDER SINGH SETHI .....Petitioner

Through: Ms. Radhika Khushaldas, Mr. A. Maittri, Mr. Rakshit Upadhyay and Ms. Parul Sharma, Advocates.

versus

VASUDHA MITTAL & ORS. .....Respondent

Through: Mr. Saarthak Sethi, Advocate.

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\# **CNR No. DLHC010621102025**

\+ RFA(COMM) 511/2025, CM APPLs. 54001/2025, 54002/2025, 54003/2025, 54005/2025

MS ADHARV ENTERPRISES AND ORS. .....Appellants

Through: Mr. Saarthak Sethi, Advocate.

versus

SH. HARVINDER SINGH SETHI AND ANR .....Respondents

Through: Ms. Radhika Khushaldas, Mr. A. Maittri, Mr. Rakshit Upadhyay and Ms. Parul Sharma, Advocates.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH
HON'BLE MR. JUSTICE GURVINDER PAL SINGH

O R D E R

% 28.10.2026

RFA(COMM) 511/2025

1. This Regular First Appeal is filed by the Appellants challenging

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impugned judgment and decree dated 14.05.2024 passed by learned District Judge (Commercial Court)-02, South-West, Dwarka Courts, New Delhi in CS (COMM) No. 569/2022 titled ***Harvinder Singh Sethi versus M/s Adharv Enterprises and Ors***.

2. Learned counsel appearing for the Decree Holder/Respondents submits that on 27.11.2025 counsel for the Appellants had undertaken to deposit 75% of the decretal amount with the Registry of this Court within two weeks and subject to this undertaking notice was issued in the appeal. Subsequently, *vide* order dated 03.12.2025 in CM APPL. 76151/2025, order dated 27.11.2025 was clarified that in case the Appellants deposit the amount directed within the time stipulated, there shall be no coercive action *qua* execution of the decree under challenge, however, till date no deposit has been made and yet the Executing Court is not proceeding in the matter and the Appellants are obstructing execution of the decree.

3. Learned counsel for the Appellants, on instructions, submits that in so far as the decree of possession is concerned, there can be no obstruction in execution, since the possession of the suit property is with the Respondents. He, however, has no answer to why the 75% deposit has not been made till date.

4. Accordingly, it is clarified that Respondents are at liberty to prosecute the execution petition pending in the Executing Court since the stay order was subject to deposit of 75% of decretal amount within the stipulated time and admittedly, deposit has not been made.

5. List on 18.03.2027.

CONT.CAS(C) 1347/2026

6. In light of the order passed in RFA(COMM) 511/2025, learned

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counsel for the Petitioners does not press this petition.

7. Contempt petition is disposed of as not pressed.

JYOTI SINGH, J

GURVINDER PAL SINGH, J

OCTOBER 28, 2026/kd

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