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

% *Date of Decision: 1st April, 2025*

+ CM(M) 3799/2024 & CM APPL. 18882/2025

SEEMA RANIPetitioner

Through: Mr. Parinav Gupta, Advocate.

versus

UMESH KUMAR TREHANRespondent

Through: Mr. Anuj Arora, Advocate.

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+ CM(M) 3887/2024 & CM APPL. 18832/2025

NITIN ARORA AND ANRPetitioner

Through: Mr. Parinav Gupta, Advocate.

versus

UMESH KUMAR TREHANRespondent

Through: Mr. Anuj Arora, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

CM APPL. 18881/2025 (for modify the order dated 12.11.2024) in CM(M) 3799/2024 & CM APPL. 18667/2025 (for vacation of order dated 22.11.2024) & CM APPL. 18831/2025 (for modify the order dated 22.11.2024) in CM(M) 3887/2024

1. Since identical issue is involved in both the abovesaid petitions, with the consent of learned counsel for the parties, these are being disposed of by this common order.

2. The matters have been taken up today on the basis of applications moved by respondents.

3. Respondent-Umesh Kumar Trehan had filed two separate suits for possession which were decreed in his favour.

4. Feeling aggrieved, the concerned tenants filed two appeals i.e. MCA DJ No. 22/2024 and MCA DJ No. 23/2024. Such appeals are pending adjudication before the concerned First Appellate Court.



5. However, simultaneously, the respondent/decreed-holder, based on such decree also filed execution petitions i.e. EX. No. 177/2024 and EX. No. 178/2024 and while considering the same, the learned Executing Court has issued *warrants of possessions* in both the matters.
6. The grievance of the petitioners/judgment-debtors/tenants herein is limited to the effect that if the *warrants of possession* are directed to be executed, their appeals would become infructuous, virtually.
7. Learned counsel for respondent/decreed-holder submits that, as per the instructions, he would have no objection if the execution petitions are kept in *abeyance*, till the disposal of the said two appeals.
8. Learned counsel for petitioners submits that in view of the abovesaid statement made by learned counsel for respondent, the present petitions may be disposed of as his prayer is also to the same effect.
9. In view of the above, both the present petitions are disposed of with the direction that the execution petitions would remain in *abeyance* till disposal of the appeals in question. These be proceeded with, in terms of the decision in said appeals.
10. The next date, fixed in both the aforesaid matters, stands cancelled.
11. The petitions, along with pending applications, stand disposed of.

(MANOJ JAIN)
JUDGE

APRIL 1, 2025/ss/js