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

% ***Date of Decision: 04th July, 2025***

+ CM(M) 1094/2025 & CM APPL. 36811/2025
M/S UPPAL CHADHA HI-TECH DEVELOPERS PVT LTD

.....Petitioner

Through: Mr. Sumeer Sodhi & Mr. Aman
Nandrajog, Advocates.

versus

RAJESH KUMAR PATWARI

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioner is facing an Execution Petition which is pending adjudication before the learned State Consumer Disputes Redressal Commission, New Delhi (in short "State Commission").
2. Such Execution Petition i.e. E.A No. 16/2025 was taken up by learned State Commission on 23.04.2025 for the first time and noticing that the execution had been filed within two years, and after appreciating the relevant facts, the learned State Commission issued *warrants of attachment* of the property of the judgment debtor/petitioner.
3. Such order is under challenge.
4. Learned counsel for petitioner/judgment debtor has, at the very outset, submitted that the judgment debtor is ready and willing to deposit the entire decretal amount within one week from today before the learned State



Commission in the abovesaid Execution Petition.

5. When asked, learned counsel for petitioner/ judgment debtor submitted that no application in this regard was moved by them before the learned State Commission. Quite obviously, if the petitioner/ judgment debtor was inclined in depositing the decretal amount, instead of filing a petition here, it should have rather filed an application to said effect before the learned State Commission. There was no reason, whatsoever, for the learned State Commission to have not entertained any such request, even if, the next date in the said Execution was of 12.08.2025.

6. Learned counsel for petitioner/ judgment debtor submits that he would move appropriate application in this regard before the learned State Commission within one week from today and would also deposit the entire decretal amount within one week from today and request that in the order to enable him to take the abovesaid action, the *warrants of attachment* may be kept *in abeyance* till then.

7. None appears on behalf of respondent/decreed holder despite advance notice.

8. Keeping in mind the specific statement and assurance given by the learned counsel for petitioner/ judgment debtor, the present petition is disposed of with direction to petitioner/judgment debtor to move appropriate application before the learned State Commission within one week. As and when, any such application is filed before the learned State Commission, after giving due opportunity of hearing to both the sides, shall decide the same, in accordance with law.

9. Simultaneously, the entire decretal amount be also deposited by the petitioner/ judgment debtor before the learned State Commission within one



week from today. In order to enable the petitioner / judgment debtor to take the abovesaid action and to deposit the decretal amount, the *warrants of attachment* dated 23.04.2025 are kept *in abeyance* till then.

10. Petition stands disposed of in aforesaid terms.
11. Pending application also stands disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

JULY 4, 2025/sw/JS