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

% ***Date of Decision: 08th April, 2025***

+ CM(M) 660/2025 & CM APPL. 20819-20820/2025

SEEMA MALHOTRAPetitioner

Through: Mr. Yash Gupta, Advocate
Petitioner-in-person (Through VC)

versus

RAKESH NAGPALRespondent

Through: Ms. Indu Kaul, Advocate (Through
VC)

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

CM APPL. 20820/2025 (exemption)

Exemption allowed, subject to all just exceptions.

CM(M) 660/2025 & CM APPL. 20819/2025

1. Issue raised in the present petition is very short and precise.
2. Petitioner has suffered a decree and pursuant to *execution petition* filed by the decree holder, the Court has issued *warrants of possession* with respect to the subject property bearing no. 1403, First Floor, Sector-D, Pocket-1, Vasant Kunj, New Delhi-110070. There is also direction to the Bailiff to break open the locks, if required, and concerned SHO has also been directed to render assistance.
3. Admittedly, judgment debtor has challenged the aforesaid decree and has already filed *Regular First Appeal* which has been registered as RFA No. 181/2025. It is also admitted case that no stay has been granted by the Co-ordinate Bench of this Court while considering the aforesaid *Regular*



First Appeal.

4. The sole request coming from the side of *judgment debtor* is to the effect that on account of medical condition of her minor son and the fact that children of *judgment debtor* are to appear in examination, a period of two months may be granted to vacate the premises in question. It is submitted that on or before 09.06.2025, the keys of the aforesaid property shall be submitted before the learned Executing Court towards handing over of vacant, physical and peaceful possession of the aforesaid property.

5. *Judgment debtor* i.e. petitioner herein Ms. Seema Malhotra has joined the proceedings through video-conferencing and has made a specific statement to the aforesaid effect. She has also been clearly apprised that if resiles from her statement which she has made today before this Court, she might be hauled up for committing *contempt of court*. She submits that she has no such intention and without prejudice to her rights and contentions which she has taken in *Regular First Appeal*, she would vacate the premises, as aforesaid, on or before 09.06.2025.

6. Her such statement is taken on record.

7. Learned counsel or respondent/decreed holder submits that in view of the above, she also would have no objection if the time is accordingly granted to her till 09.06.2025.

8. Petition, along with pending applications, stands disposed of in aforesaid terms with clear-cut direction to the petitioner to hand over the vacant and peaceful physical possession of the property in question on or before 09.06.2025 by handing over the keys of the subject property before the learned Execution Court. In case of any disobedience of the aforesaid order, the natural consequences, including initiation of contempt proceedings,



2025:DHC:2497



would follow.

9. It is also clarified that under no circumstances, the aforesaid time period would be extended.

10. *Dasti* under the signatures of the Court Master.

(MANOJ JAIN)
JUDGE

APRIL 8, 2025 /dr/shs