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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
% *Date of Decision: 09<sup>th</sup> May, 2025*

+ CM(M) 2147/2024

ARN INFRASTRUCTURE INDIA PVT LTD AND ANR

.....Petitioners

Through: Ms. Kirti Mewar, Advocate  
versus

TUHINA BHARGAVA AND ANR

.....Respondents

Through: Ms. Aditi Chaudhary with  
Ms. Himani Singh, Advocates

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ JAIN**

**J U D G M E N T (oral)**

**CM APPL. 28381/2025 (early hearing)**

1. Respondents seek early hearing and since learned counsel for the petitioners has also joined the proceedings through *video conferencing*, with the consent of both the parties, the main petition has been taken up today itself.
2. The application stands disposed of in aforesaid terms.
3. The next date of 12.09.2025 stands cancelled.

**CM(M) 2147/2024**

1. Respondents herein had filed a complaint before learned State Commission, Delhi and such complaint was allowed by learned State Commission.
2. Admittedly, the complaint was against *M/s ARN Infrastructure India Pvt. Ltd.* only.



3. The complaint had been allowed by learned State Commission *vide* order dated 15.11.2016 and such order was even challenged by the opposite party by filing First Appeal before learned NCDRC. Interestingly, learned NCDRC directed a stay of execution subject to payment of 50% of the decretal amount but there was no compliance of such direction and, eventually, learned NCDRC had also dismissed such appeal *vide* judgment dated 06.02.2025.

4. In terms of the order passed by the learned State Commission, Delhi, an Execution Petition had been filed by the respondents herein before the learned State Commission which was registered as EA/32/2022.

5. Various proceedings conducted during the execution would indicate that Decree Holder sought issuance of *warrants of arrest* against the Directors of the JD Company. Decree Holder also filed an application under Section 71 of the Consumer Protection Act, 2019 read with Order XXI Rule 41(2) CPC seeking directions for revealing of their assets. Though reply to the abovesaid application was filed by the JD company, the assets were not disclosed.

6. Noticing that there was no cooperation or assistance coming from the side of such Directors of JD Company, learned State Commission issued warrants of arrest against all such Directors.

7. Such order dated 19.02.2024 is under challenge.



8. Learned counsel for the petitioner submits that there is no intention to defy the specific directions given by the Court. She, however, submits that there is change in the management of the Company and some Directors have ceased to be Directors and there is induction of some new Directors.

9. The impugned order reflects that *warrants of arrest* have been issued against six persons who were Directors at the relevant time.

10. Petitioner No.1 in the present petition is JD Company in question and petitioner No.2 is one of its such Directors i.e. Mr. Krishan Kumar.

11. Be that as it may, in order to ensure that there is no further delay in the execution and in order to give one last chance to all such Directors to appear before the learned State Commission, the petition is disposed of with the direction that on the next date fixed before learned State Commission, which is stated to be 16.05.2025, all six Directors, against whom arrest-warrants had been issued, and authorised representatives of JD Company would appear before the learned State Commission. They would also be at liberty to move application(s) as they may be advised.

12. Learned counsel for petitioner assures that they all would appear physically before learned State Commission on such next date.



13. Needless to say, that they all would provide requisite assistance and cooperation to learned State Commission so that there is no further delay in the execution.

14. Nonetheless, since the decree is only against the Company as such, the learned State Commission would consider the abovesaid aspect and after considering the application, if any, moved by any such Director, it would proceed further with the matter in accordance with law, after giving due opportunity of hearing to both the sides.

15. The petition stands disposed of in aforesaid terms.

16. Pending applications, if any, also stand disposed of.

**(MANOJ JAIN)**  
**JUDGE**

**MAY 9, 2025**  
**st/pb**