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

% *Date of Decision: 14th May, 2025*

+ CM(M) 872/2025 & CM APPL. 28134-28135/2025

MOHIT BHUNSALI

.....Petitioner

Through: Mr. Mohit Chaudhary, Mr. Kunal Sachdeva, Ms. Nakshatra Shandilya and Ms. K. Vajpayee, Advocates.

versus

INTEC CAPITAL LTD. & ORS.

.....Respondent

Through: Mr. Pranav Goyal, Ms. Pooja Chaudhary, Mr. Vishant Singh and Ms. Mreeganka Goyal, Advocates for R-1.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. The present petition has been filed by JD No.4 i.e. Mohit Bhunsali.
2. When the Execution Petition No.137/2021 was taken up by the learned Executing Court on 02.05.2025, noticing that the employer of JD No.4 had refused to accept the notice, it directed issuance of bailable warrants of Rs.5,000/- against Mr. Abhishek Saini, who is stated to be HR of IB Montaro Pvt. Ltd. (employer of JD No.4).
3. Learned counsel for JD No.4 submits that JD No.4 has already filed an application before the learned Executing Court requesting for *sine die* adjournment of the Execution Petition, in view of interim statutory moratorium under Section 96 of Insolvency and Bankruptcy Code, 2016 *qua* JD No.4.
4. He submits that there is no consideration or decision on the aforesaid application and, straightway, notice has been issued to the employer of JD No.4.



5. However, during the course of the arguments, he submits that said Mr. Abhishek Saini has no intention to defy or disobey the notice issued by the Court and on instructions, it is informed that he would appear before the Court, himself.
6. Learned counsel for the petitioner, however, submits that the learned Trial Court may be requested to consider the abovesaid application, before issuing any further coercive process against Judgment Debtor No. 4 for the purposes of realization of decretal amount.
7. Learned counsel for decree-holder also appears on advance notice and submits that in case there is an undertaking from said Mr. Abhishek Saini to appear before the learned Executing Court himself, he would also have no objection if theailable warrants are recalled.
8. In view of the above, theailable warrants *qua* Mr. Abhishek Saini are recalled. However, as assured today, he would appear before the learned Executing Court on the date fixed i.e. 05.06.2025.
9. Since an application has already been filed by JD No.4, the learned Trial Court would consider the same and would make best endeavour to dispose it of, in accordance with law, after giving due opportunity of hearing to both the sides.
10. The petition stands disposed of in aforesaid terms.
11. The pending applications also stand disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

MAY 14, 2025/ss/js