



2025:DHC:6921



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

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

+ CM(M) 1525/2025& CM APPL. 50147-50148/2025

NIRMAL GUPTA

.....Petitioner

Through: Mr. Shubham, Advocate.

versus

RAM NIWAS GUPTA

.....Respondent

Through: Mr. Ankur Singhal, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

JUDGMENT (oral)

1. Petitioner is judgment debtor before the learned Trial Court.
2. Learned counsel for respondent/decreed holder has also joined the proceedings through *video-conferencing*.
3. The grievance herein is with effect to the order passed by learned Executing Court under Order XXI Rule 37 CPC, whereby the learned Executing Court has directed judgment debtor to be committed to civil imprisonment.
4. According to the learned Counsel for decreed holder, the approximate balance decretal amount is Rs. 18,90,000/-.
5. During course of arguments, learned counsel for judgment debtor, on instructions, submitted that the entire balance decretal amount would be cleared within three months from today and the first installments of Rs. 10,00,000/- would be paid to the decreed holder, by way of demand draft, before the learned Executing Court on 20.08.2025.
6. He submits that the balance decretal amount, as per the calculation and



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directions of the learned Executing Court, would be cleared within three months from today.

7. Learned counsel for decree holder submits that he has no objection to the proposal coming from the side of judgment debtor but it should be clarified that the judgment debtor would not be entitled to any further opportunity in this regard as on previous occasion also, he did not adhere to his own undertaking and statement.

8. Learned counsel for judgment debtor assures that there would not be any request for extension.

9. In view of the above, the present petition is disposed of with the direction that the judgment debtor would make the payment of Rs. 10,00,000/-, as undertaken above, before the learned Executing Court on 20th instant and, thereafter, also the balance decretal amount would be cleared within three months from today.

10. In view of the above, the coercive process whereby he was directed to be taken into custody to undergo *civil imprisonment* is set aside.

11. It is also made clear that no further extension on any ground, whatsoever, would be entertained from the side of judgment debtor

12. The petition is disposed of in aforesaid terms.

13. All pending applications stand disposed of in aforesaid terms.

14. Order dasti under the signatures of the Court Master.

(MANOJ JAIN)
JUDGE

AUGUST 14, 2025/sw/SHS