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

% *Date of Decision: 16th July, 2025*

+ CM(M) 1231/2025 & CM APPL. 41503-41504/2025

M/S ARORA H/W AND PAINT STORE

.....Petitioner

Through: Mr. D.P.S. Guliani, Advocate.

versus

M/S JAWAHAR CHIT P LTD

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioner has suffered a decree for a sum of Rs.4,46,140/- along with interest.
2. Such decree was assailed by the petitioner by filing a *Regular First Appeal* and such *Regular First Appeal* (RFA No.812/2018) has also been dismissed by this Court on 25.09.2018.
3. Quite clearly, the decree has already attained finality and based on such decree, an execution petition was filed by the concerned Decree Holder.
4. In such proceedings, judgment debtor filed an objection under Order XXI Rule 58 and Section 44 of Indian Evidence Act, 1872 (corresponding Section 38 of Bharatiya Sakshya Adhiniyam, 2023).
5. The petitioner is aggrieved by dismissal of its said objection.
6. This Court has gone through the impugned order dated 19.03.2024 and the learned Executing Court took due note of the objections raised by the judgment debtor and came to the conclusion that the same very objections had



been taken by the objector when the matter was pending adjudication before this Court in the abovesaid RFA and his such contentions were found to be untenable even by this Court and, resultantly, the abovesaid RFA was dismissed.

7. Since the objections raised by the judgment debtor are, virtually, same and similar, quite evidently, the learned Executing Court was left with no option but to dismiss the same.

8. Viewed thus, this Court does not find any merit in the present petition as no compelling reason has been assigned as to why this Court should invoke its supervisory jurisdiction to interfere with the impugned order which does not contain any illegality or perversity.

9. The petition is, accordingly, dismissed in *limine*.

10. Pending applications also stand disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

JULY 16, 2025/ss/js