



2025:DHC:7101



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% ***Date of Decision: 19th August, 2025***

+ CM(M) 1551/2025 & CM APPL. 50885-50886/2025

RIPU DAMAN SAHNI (DECEASED) THR LRSPetitioner

Through: Mr. Arvind Sharma and Mr. Madhu
Kant Jha, Advocates.

versus

VIVEK SAHNIRespondent

Through: None.

CORAM:**HON'BLE MR. JUSTICE MANOJ JAIN****J U D G M E N T (oral)**

1. Petitioners are legal representatives of judgment debtor-Mr. Ripu Daman Sahni.
2. Decree holder-Mr. Vivek Sahni has filed an execution petition against Mr. Ripu Daman Sahni and when the abovesaid execution petition was taken up by the learned Execution Court on 06.06.2025, noticing that judgment debtor was served through his wife, it issued *warrants of attachment* against the movable properties of Judgment debtor-Mr. Ripu Daman Sahni.
3. It is, however, informed that two days prior to the abovesaid order i.e. 04.06.2025, Mr. Ripu Daman Sahni had already died. Copy of his death certificate has also been enclosed with the petition.
4. It is submitted that the abovesaid aspect was brought to the notice of the learned Trial Court by moving an application to bring on record LRs of the deceased judgment debtor but such application has been, simply, directed to be taken up on the date fixed i.e. 19.09.2025.
5. It is submitted that since *warrants of attachment* against the movable properties of a dead man has been issued, the impugned order is not sustainable.



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6. None appears on behalf of the respondent despite advance notice.
7. Ideally, when the learned counsel for judgment debtor had appeared through *video conferencing* before the learned Executing Court on 06.06.2025, the abovesaid aspect should have been highlighted.
8. Be that as it may, fact remains that *warrants of attachment* has been issued against a dead person and, therefore, impugned order is not sustainable, though, it is on account of non-communication of the requisite facts from the side of the judgment debtor.
9. In view of the above, the present petition is disposed of with the direction to learned Executing Court to consider the application moved by the LRs of the judgment debtor and, thereafter, to proceed further with the execution, in accordance with law.
10. The impugned order dated 06.06.2025 is set aside in view of the above stated reason.
11. Though, the next date before the learned Executing Court is stated to be 19.09.2025, learned counsel for LRs of deceased judgment debtor shall appear before the learned Executing Court on 22.08.2025.
12. A copy of this order be given *dasti* under the signatures of Court Master.
13. A copy of this order be also sent by Registry to learned Executing Court for information and compliance.

(MANOJ JAIN)
JUDGE

AUGUST 19, 2025/ss/js