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

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*Date of Decision: 28<sup>th</sup> May, 2025*

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CM(M) 1036/2025 & CM APPL. 33868-33871/2025

DEEPAK MOWAR

.....Petitioner

Through: Mr. Rishabh Nigam, Advocate.

versus

PAYAL SINGH & ANR.

.....Respondent

Through: None.

**CORAM:**

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

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

1. The petitioner is aggrieved by the order whereby learned District Consumer Disputes Redressal Commission, New Delhi has issued *non-bailable warrants* against him on 09.04.2025 in EA/78/2024.

2. It is submitted by learned counsel for petitioner that there is no intention to run away from the execution proceedings but according to him, the complaint was, merely, against the Company of which the petitioner is stated to be a Director at one point of time. He submits that even the execution petition had been filed against JD Company only and it was only during the proceedings of the case, relying upon general directions given by the Hon'ble Supreme Court in *Periyammal v. V. Rajamani, 2025 SCC OnLine SC 507*, the learned District Commission has chosen to issue *non-bailable warrants*, without any advance notice.

3. It is informed that the abovesaid order, whereby warrants were issued against the petitioner, was challenged by the petitioner by filing appeal and such appeal i.e. EA No. 29/2025 was taken up by the learned State Commission on 13.05.2025. Though, notice has been issued to the opposite



side, there is no reference with respect to the urgent relief sought by the appellant whereby it requested for stay of *non-bailable warrants*.

4. It is submitted that such appeal, has been adjourned by the learned State Commission for 27.08.2025 and if, in the interregnum, the petitioner is arrested, pursuant to execution of *non-bailable warrants*, such appeal would be rendered infructuous.

5. The Court has gone through the order dated 13.05.2025 and it appears that perhaps the urgency was not appropriately cited before the learned State Commission.

6. Since the appeal has already been preferred before the learned State Commission, it will be appropriate for the petitioner to seek appropriate remedy before the learned Appellate Commission.

7. Learned counsel for the petitioner also seeks liberty to move application before learned State Commission, seeking early hearing for the purposes of consideration of the abovesaid relief regarding stay/recall of the warrants, within two days from today.

8. In view of the above, the petition is disposed of with liberty to petitioner to move appropriate application seeking early hearing and urgent relief before learned State Commission.

9. Let any such application be moved within two days from today.

10. The warrants in question are kept in abeyance for a period of three days, to be reckoned from today.

11. It is, however, clarified that this court has not expressed any opinion with respect to the order passed by learned District Commission and it will be entirely up to the learned State Commission, where the abovesaid appeal is pending adjudication, to take appropriate decision. However, keeping in mind



2025:DHC:4610



the nature of the urgency involved, this Court expects that, as and when, any such application is moved, the learned State Commission takes up the same and deals with the same in accordance with law.

12. Petition stands disposed of in aforesaid terms.
13. Pending applications also stand disposed of.
14. Order *dasti* under the signatures of the Court Master.

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

**MAY 28, 2025/sw/PB**