



2026:DHC:2078



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

Date of Decision: 12th March, 2026

+ CM(M) 502/2026

NIKHIL NANDA

.....Petitioner

Through: Mr. Devanshu Chauhan and Mr.
Sidharth Bansal, Advocates.

versus

NEERAJ KUMAR

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJNEESH KUMAR GUPTA

ORDER (Oral)

Rajneesh Kumar Gupta, J.

1. This hearing has been conducted through hybrid mode.

CM APPL. 15179/2026 (for exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

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3. The present petition has been filed by the petitioner/JD under Article 227 of the Constitution of India, 1950, assailing the order dated 19th December, 2025 passed by the learned Trial Court in case Ex. No. 323/2025, whereby warrants of attachment of movable property have been issued against the petitioner.

4. Heard. Record perused.

5. Learned Counsel for the petitioner submits that no notice was issued prior to the issuance of warrants of attachment of movable property. It is further submitted that the suit was decreed without permitting the petitioner to lead any evidence.



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6. The suit for recovery of amount as filed by the respondent against the petitioner has been decreed *vide* judgment dated 20th March, 2025 on the application of respondent under Order XII Rule 6 of the CPC. Thereafter, the Execution Petition was filed within two years from the date of the said judgment.

7. Learned Counsel for the petitioner also submits that the petitioner has not so far challenged the said judgment.

8. Keeping in view these facts as the Execution Petition has been filed within two years from the date of the said decree, so, no prior notice is required to be issued to the petitioner. Accordingly, there is no infirmity in the impugned order as to the issuance of the said warrants of attachment and it is upheld. The petition is dismissed as being devoid of any merits. Pending application(s), if any, also stand disposed of.

RAJNEESH KUMAR GUPTA, J

MARCH 12, 2026/v/ik