



2025:DHC:10110



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

% *Date of Decision: 17.11.2025*

+ **CM(M) 2189/2025 & CM APPL. 71696/2025**

NAVEEN KUMAR .....Petitioner

Through: Mr. Amit Kumar Jain, Advocate

versus

SUNIL KUMAR .....Respondent

Through: None

**CORAM: JUSTICE GIRISH KATHPALIA**

**ORDER (ORAL)**

1. Petitioner/Judgment Debtor has assailed order dated 09.10.2025 of the learned execution court, whereby warrants of arrest against him were ordered returnable on 14.11.2025. It is informed by learned counsel for petitioner/Judgment Debtor that on 14.11.2025 also, fresh arrest warrants have been ordered returnable on 06.12.2025. Having heard learned counsel for petitioner/Judgment Debtor, I do not find it a fit case to even issue notice.

2. The impugned order deals with an objection of the petitioner/Judgment Debtor as regards territorial jurisdiction of the execution court.

3. It is contended by learned counsel for petitioner/Judgment Debtor that



the execution court of Shahdara District has no territorial jurisdiction to deal with the subject execution proceedings because the petitioner/Judgment Debtor is residing in Karawal Nagar, which falls under the jurisdiction of North-East District. No other objection has been raised.

4. Admittedly, and as noted in the impugned order, when the execution petition was filed, address of the petitioner/Judgment Debtor was of Jhilmil Colony which falls within the jurisdiction of Shahdara District and the dispute was even settled between the parties, after which few part payments were made by the petitioner/Judgment Debtor to the respondent/Decree Holder. But subsequently, the petitioner/Judgment Debtor stopped making payments. Rather, the petitioner/Judgment Debtor even stopped appearing before the execution court, so arrest warrants were issued but the same returned unexecuted. In these circumstances, the learned execution court delivered a finding and rightly so, that the petitioner/Judgment Debtor is intentionally evading the process of law.

5. As regards the territorial jurisdiction, it is not disputed that the same would be decided on the basis of the address at the time of institution of the proceedings. Admittedly, at the time of institution of the subject execution proceedings, address of the petitioner/Judgment Debtor was of Jhilmil Colony, which falls within the territorial jurisdiction of Shahdara District.

6. Therefore, I find no infirmity in the impugned order. The impugned order is upheld and the present petition is dismissed with cost of Rs.10,000/- to be deposited by petitioner/Judgment Debtor with DHCLSC within one week. Accompanying application also stands disposed of.



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7. For compliance as regards cost, copy of this order be sent to the learned execution court forthwith.

**GIRISH KATHPALIA  
(JUDGE)**

**NOVEMBER 17, 2025/as**