

**IN THE COURT OF MS. NIRJA BHATIA, SPECIAL JUDGE, PC
ACT (CBI)-03, ROUSE AVENUE DISTRICT COURT, NEW DELHI**

**CBI Vs. Manjeet Footwear Industries Pvt. Ltd.
IA 83/2019**

18.12.2020

Present: Sh. Praneet Sharma, Id. Sr. PP and Sh. K.K. Sahu, Id. APP
for CBI
Sh. S. V. Rateria, proxy counsel for the applicant

**The matter has been taken up physically as per duty roster No.
Power /Gaz /RADC/2020/E-22773-22861 dated 27.11.2020.**

Heard on the application of the applicant Rama Kant Khandelwal for release of original documents. It is averred by the applicant that he participated in an e-auction of Canara Bank, ARM-Branch, Karol Bagh, New Delhi held on 26.07.2010 to purchase the property in question i.e. Plot No. 5, Sector No. 4, Pocket-C, Industrial Area, Bawana, Delhi measuring are 250 Sq. Mtrs. for amount of Rs. 60,60,000/- and deposited the 25% of bid amount i.e. Rs. 15,15,000/-.

That during the e-auction / sale of property in question the borrower M/s. Manjeet Footwear filed the securitization application before the Hon'ble DRT-III-Delhi, and the proceedings of the said e-auction / sale of

property process had been stayed by the order of the Hon'ble DRT-III and that in the meantime on 28.12.2011 the officer of CBI Sh. B. M. Pandit seized the original documents of property in question.

The proceedings before the DRT culminated in favour of the applicant vide order dated 20.07.2018, whereby the securitization application of M/s Manjeet Footwear (borrower) was dismissed.

That the Canara Bank, ARM-Branch, Karol Bagh, New Delhi started the process to allot the property in the name of the applicant Rama Kant Khandelwal and had written a letter on 14.08.2019 for depositing the balance amount of Rs. 45,45,000/- which has been deposited by the applicant with the bank where-after the sale of the plot / property in question is confirmed in favour of the applicant Rama Kant Khandelwal on 29.08.2019 by Canara Bank, ARM-Branch, Karol Bagh, New Delhi through its letter No. ARM CR MANJEET/12/2019/MKP, dated 29.08.2019, which copy he has appended along with the application.

That the Sale Certificate is issued by the Canara Bank, ARM-Branch, Karol Bagh, New Delhi by mentioning the possession handed over which also is annexed with the application. In the meantime, the applicant is informed in writing that the original documents of the property are held with CBI EOU-III, New Delhi in RC-2192011(E)0012 which were seized on 28.12.2011.

The applicant states that after the purchase of the property on 29.08.2019 he is the actual owner having the legal possession of the property and claims himself as custodian of original documents which has led him to filing of the present application.

Reply to the application is filed by Insp. Sushil Kumar on behalf of CBI. It is stated therein that during investigation original title documents of the property in question were seized on 28.12.2011, which are kept in Malkhana. It is revealed that the documents are not relied upon and may be returned back to the bank, under proper receipt.

The perusal of reply suggests that the documents pertaining to property in question i.e., Plot No. 5, Sector No. 4, Pocket-C, Industrial Area, Bawana, Delhi has not been relied during investigation by the IO and are not needed for the purposes of the present case, since trial in this case has already been completed and matter is at the stage of final arguments. No useful purpose is, hence, likely to be served by retaining the documents in Malkhana as they are virtually not shown to be of any use for CBI.

Since the documents were seized from Canara Bank, ARM Branch, Karol Bagh, New Delhi, they be returned back to the Branch Manager of the said bank against proper receipt.

Application stands disposed of.

Copy of the order be supplied to CBI for compliance.

(NIRJA BHATIA)
Special Judge (PC Act) CBI-03,
RADC/New Delhi /18.12.2020