

MACP No. 30/17
Kavita Sharma Vs. Harsh & Ors.

Present : Proxy Counsel for the petitioner.
None for the respondents.

IO/HC Chander Pal has filed a report regarding movable and immovable assets of the respondents. No movable and immovable assets are stated to be there in the name of respondents, except the offending vehicle in name of R-2 which stands released to him on superdari. However, R-1 is stated to be doing some private job and copy of his pay slips are attached with report.

The report of the IO also shows that R-2 is running into custody in Alwar Jail, Rajasthan in case bearing no. 1472/16 under Sections 420/409/467/468 IPC, PS Kotwali, District Alwar, Rajasthan. IO also submits that he has already moved an application seeking cancellation/modification of superdari order of the offending vehicle and the same is pending before the Ld. MM for 02.04.2018.

Written statement/reply of respondents to this claim petition has also not been filed on record till date. The opportunity given to R-1 for filing the same is being closed. However, in the interests of justice, let Court notice be issued in the name of Jail Superintendent concerned to produce R-2 before this tribunal on the next date of hearing. Let it be endorsed on the notice that he is not required to be detained in custody in this matter otherwise. At this stage, IO submits that R-2 is scheduled to appear in the Court of Ms. Bhawana Kaliya, Ld. MM, Patiala House Courts, New Delhi on 02.04.2018 and hence, Ahlmad is directed to issue the above notice today itself and to send it to the Jail Superintendent concerned through FAX either through the Incharge, Judicial Lock up or the O/o Ld. District & Sessions Judges, Patiala House Courts, New Delhi. IO undertakes to furnish on

record the FAX number of the Jail Superintendent concerned.

Put up the matter for further proceedings on **02.04.2018**.

At this stage, R-1 appears and is apprised about the proceedings. Previous order regarding opening of bank account etc. is also yet to be complied with by the petitioners.

(M.K.Nagpal)
Judge/MACT, New Delhi
31.03.2018