

EX 112/22

THE JAMMU AND KASHMIR BANK LTD Vs. PUSHPA MITTAL  
AND ANR

19.10.2024

Present: Sh.Shakil Sheikh, Ld. counsel for DH along with AR of DH.  
JD no. 1 and 2 with ld. counsel.  
JD no. 2 Raj Kumar Mittal produced from civil prison after his  
arrest on 18.10.2024.

Initially JD no. 1/Pushpa Mittal was not present in person and matter was kept pending for about two hours to allow her to appear. Pushpa Mittal and Raj Kumar Mittal have been examined in court. Their statements would show that JD no. 2/Raj Kumar Mittal is still doing some business. But, he has incorrectly claimed before this court that he does not do any work. He is an able-bodied man and as per the statement of Pushpa Mittal, he is still running some business. This shows that the claim made by their counsel about poverty of the said JDs is incorrect.

I may further note that as per the affidavit of assets of Raj Kumar Mittal, he claims that he does not have any immovable property. But, as per his statement recorded today, he admits that he owns a property measuring about 150 sq. yards. This also shows that not only Raj Kumar Mittal is capable of paying money under the decree, he has intentionally stated incorrect facts qua his assets before this court.

At this stage, Raj Kumar Mittal has offered to pay Rs.20,000/- through banking modes (from the account of his son) to the DH. The matter is passed over to allow the said payment.

At this stage, I am told that the money sent to the DH's account has been rejected by the concerned banking channels. But, I am

told that the said money has not been returned back into the account of son of Raj Kumar Mittal and it will take about two working days for the same.

Parties pray that there is some possibility that the matter may be settled as now JDs are willing to pay the DH. Counsel for DH submits that in case the JD settles the matter, he has no objection in case, JD no. 2 is released from civil prison. Counsel for JD undertakes that his clients shall appear before court, as and when called and shall also pay the decretal amount. **Let JD no. 2 be released from civil prison to allow him to arrange for the payment of decretal money.**

List for confirmation of payment qua Rs.20,000/- (noted above), further payment and for further proceedings on 23.10.2024.

Let both the JDs appear in person on NDOH. Let copy of this order be sent to concerned Jail Supdt. for necessary information.

AASHISH GUPTA  
DJ-01/NE/KKD/DELHI  
19.10.2024