

EX 56/26

AZAD Vs. MCD

27.02.2026

Present: Sh. Aman Kumar Singh, Ld Counsel for DH.

None for MCD

Sh. Mohit Tiwari, Ld. Proxy Counsel for Sh. J.K. Mishra,
Ld Counsel for SBI, Chandni Chowk, Delhi.
(appearing through VC)

At this stage, learned proxy counsel appearing for SBI, on instructions, submits that the remittance in terms of the warrants of attachment could not be effected by the bank due to insufficiency of funds in the account of the Judgment Debtor (JD)/MCD. Learned counsel further submits that, in order to substantiate the said position, the statement of account of the JD shall be filed during the course of the day.

Perusal of the record reveals that vide order dated 02.02.2026, warrants of attachment were directed to be issued against the bank account of the JD, which were reportedly served upon the concerned bank i.e. SBI, Chandni Chowk on 12.02.2026. However, despite service of the warrants, no remittance has been made till date and further the Learned counsel for SBI has submitted toady that the non-remittance is solely on account of lack of sufficient balance in the account of the JD/MCD.

Prima facie, it is difficult to accept that an organization of the scale and nature of the Municipal Corporation of Delhi would remain without funds in its account for such a prolonged period, particularly after service of attachment warrants on 12.02.2026. Considering the vast administrative framework, statutory revenue streams and financial responsibilities of a municipal body entrusted

with essential civic functions, the plea of continued absence of funds does not appear to align with the normal operational functioning of such an authority.

In view of the above, the Manager, SBI, Chandni Chowk is directed to file the statement of account of the JD bearing account no. 41010068213 for the period from 12.02.2026 till date on or before the next date of hearing. The Manager shall also file an affidavit affirming that remittance could not be made due to insufficiency of funds in the said account. Vakalatnama on behalf of the bank be also filed.

Further, the Manager, SBI is directed to immediately make the remittance in terms of the warrants of attachment issued vide order dated 02.02.2026 as and when funds become available in the account of the JD/MCD. It is made clear that if it is found that remittance was deliberately withheld despite availability of funds, appropriate and serious action shall be taken against the concerned officer. Let the Court notice be issued to the Manager, SBI Chandni Chowk for the next date of hearing and the copy of today's proceeding be also attached along with the notice.

Now to come up for further proceedings on **07.03.2026**.

(NEERAJ SHARMA)
District Judge-04(Central)
Tis Hazari Courts Delhi
27.02.2026 (g)