

EX 64/23

M/S KAPCO ARTS PVT. LTD. Vs. M/S SHRANKHALA

04.03.2025

Present: Sh. Shivam Mishra, Ld. Counsel for decree holder.
None for JD.

1. Despite directions to the JD to appear physically in Court and file his current address, documents qua purported sale of property attached, none appears on his behalf.
2. It is pertinent to mention herein that JD herein, as per Nazir report dated 01.03.2025, is liable to pay a sum of Rs. 5,83,561/- to decree holder and on his failure to do so, his property bearing No. B-1/227, 3rd Floor, Yamuna Vihar, North East District, Delhi - 110053 has been attached.
3. At this stage, Ld. Counsel for decree holder has orally prayed for proclamation of sale of the property of the JD lying attached under Court orders. The said prayer is treated to have been made U/O XXI Rule 66 CPC.
4. Accordingly, let the proclamation of sale be issued. Let the same be pasted outside the Court room and also be published in the prescribed proforma in two local newspapers i.e. 'Virat Vaibhav' and 'Statesman'. The proclamation be also brought to the notice of general public as well as to the public through beat of drums.
5. Let decree holder deposit necessary publication charges for publication of notice of sale. The publication shall take place atleast one month prior to the date of auction and decree holder shall bear the expenses of auction including expenses for arranging chairs, tables etc at the spot on the date fixed for auction.

6. The date of auction is fixed as **29.04.2025** and Sh. Abhishek Sharma, Enrl. No. D/2954/2017, Chamber No. D-708, Karkardooma Courts, Delhi, mob: 9716122171 is appointed as Court Auctioneer for carrying out auction of the **property bearing No. B-1/227, 3rd Floor, Yamuna Vihar, North East District, Delhi - 110053.** The minimum reserve price of the property will not be less than the prescribed circle rate which is applicable for sale of property in the area. Court Auctioneer shall fix the reserve price of the suit property by making necessary calculations. The auction proceedings shall be video recorded.
7. Decree holder shall be entitled to get reimbursement of the expenses made by him from the sale proceeds alongwith the decretal amount. The remaining amount, if any, shall be returned to JD, after confirmation of sale.
8. In the publication to be made, it shall be specifically mentioned that the property shall be sold on 'as is where is basis' and the intended purchaser shall have to verify the factum of ownership/title of the suit property himself. The fees of Court Auctioneer shall be paid as per rules and an amount of Rs. 10,000/- shall be paid in advance to him and the remaining fees shall be paid to him from the sale proceeds.
9. List the matter for further proceeding qua report of Court Auctioneer on **03.05.2025**. Copy of this order be given dasti to the parties and be also sent to the concerned Court Auctioneer for information and compliance.

Aashish Gupta
DJ-01/NE/KKD/DELHI
04.03.2025