

15 EX 369/20 S.S. MANN Vs. IILM ACADEMY OF HIGHER LEARNING

17.01.2020

Present: Ms. Kanchan Semwal, Counsel for DH

Sh. Praveen Sawaria alongwith Sh. Shubham Tyagi from ICICI Bank who filed the report as per which any account in the name of JD could not be tracked as DH has not mentioned any account details.

Counsel for DH admits that any particular account details of JD are not available with the DH and thus she withdraws her request for issuance of warrant of attachment against the bank account of JD.

At this stage, Counsel for DH has moved an application under Order XXI R 43 and 54 r/w Sec. 151 CPC.

It is noted that the address of the JD does not fall within the jurisdiction of this Court as per report of Nazir, however, counsel for DH submits that the address of the property of JD which has been given today, falls within jurisdiction of this Court.

It is also noted that this execution petition has been moved qua execution of an arbitration award, however any notice has not been sent to the JD. Notice of the execution petition as well as for filing of affidavit under Order XXI R 41 CPC in terms of Order of Hon'ble High Court dated 05.12.2019 passed in Execution petition no. 275/2012 and Execution Application (OS)- 221/18 M/s. Bhandari Engineers and Builders Pt. Ltd. Vs. M/s. Maharia Raj Joint Venture and M/s. Bhandari Engineers and Builders

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Pt. Ltd. Vs. M/s. You One Maharia (JV) Delhi & Ors. be issued against the JD on filing of PF to be submitted within 30 days before this Court.

Put up for appearance on behalf of JD / consideration of the application / further proceedings on 20.04.2019.

(SHELLY ARORA)
ADJ-01(South East) Saket Courts
New Delhi/17.01.2020(sm)