

Ex. 1137/17

Chanderkanta Narang Vs. Jai Devi Arora and Ors.

07.09.2019.

Present: Sh. Tarun Narang, counsel for decree holder

Application seeking to file valuation report was filed by the DH counsel on 26.07.2019 alongwith report drawn on the letterhead of A K Gupta and Associate, duly signed and stamped by the valuer. As per the report filed, the valuation of the property no. 5, Sewa Nagar, New Delhi has been fixed at Rs.1,06,53,000 as per the circle rate and at Rs.1,15,00,000/- as per the market rate and property no.J-66, Kalkaji, New Delhi has been fixed at Rs.2,55,16,000 approximately as per the circle rate and Rs.6,50,00,000 as per the market rate.

DH counsel has prayed that the reserved price may be fixed as per the market value of the property as to knowledge of DH, there are buyers available in the market who may be ready to pay the market rate or even higher.

In view of the report and submissions of the DH, the reserved price of the property no. 5, Sewa Nagar, New Delhi is fixed at Rs.1,15,00,000/- and property no. J-66, Kalkaji, New Delhi has been fixed at Rs.6,50,00,000.

It is noteworthy that all the JDs had been served with the copy of the execution application but none has been appearing on their behalf. Further, JD no. 1, 4 and 6 had been served with copy of application seeking auction of the properties, while report on notice issued to JD no. 2, 3 and 5 was received back with report that they

were not residing on the said address. However, later vakalatnama alongwith inspection application was filed on behalf of JD no.5 by Advocate Subhash Chandra and Associate and hence, it is evident that JD no. 5 is in knowledge of the proceedings. Counsel has submitted that JD no.2 and 3 are also residing at the very same address and they are well aware of the proceedings as all the JDs are brothers.

From the submissions in light of the report, I am satisfied that the parties are having due knowledge of the present execution proceedings and have no objection to the application seeking auction of both the properties.

Accordingly, the application under Order XXI Rule 64 and 66 CPC stands allowed and property is directed to auctioned by the Court Auctioneer in the following manner as per the schedule given on filing of PF and publication charges by the decree holder.

Sl no.	Details	Date and time
1.	Date of Publication of Proclamation in newspaper “Statesman” and “Vir Arjun”	On or before 24.09.2019
2.	Proclamation to be displayed on the notice board of the District court as well as Delhi High Court	On or before 24.09.2019
3.	Proclamation be also made at the property in question at the conspicuous place in the presence of witnesses of locality and by beat of drum	On or before 24.10.2019 between 10:00 AM to 1:00 PM

4.	Date of sale (by public auction by Court Auctioneer)	30.10.2019 between 10:00 AM to 11:00 AM
5.	The date of return of proclamation	On or before 28.11.2019
6.	Filing of report before Hon'ble court.	On 28.11.2019

Put up for further proceedings on **30.11.2019**. Accordingly, application stands disposed of. Copy of order be given dasti for information to the opposite side / counsel as well as court auctioneer. Counsel is directed to file affidavit alongwith postal receipt of sending the order to opposite side.

(Surya Malik Grover)
ADJ-1(South East) Saket Court
New Delhi/07.09.2019(ds)