

PRATIBHA SHARMA VS. INDU SHEKHAR and anr.

10.07.2024

Second regular PA is on long leave and no substitute has been provided in her place by the Administration Branch.

Present : Plaintiff in person.
Defendant no. 1 in person.
Applicant/Defendant no. 2 in person with ld. Counsel
Sh.Suresh Chaudhary.

Defendant no. 1 submits that main counsel is not available
and requests for pass over till 10.30 AM.

District Judge-03 (Shahdara),
KKD Courts, Delhi. 10.07.2024.

At 12.30 PM.

Present : Plaintiff in person.
Defendant no. 1 in person.
Applicant/Defendant no. 2 in person with ld. Counsel
Sh.Suresh Chaudhary.

Defendant no. 1 submits that main counsel is not available
and requests for pass over of post lunch session.

District Judge-03 (Shahdara),
KKD Courts, Delhi. 10.07.2024.

At 3.30 PM.

Present : Plaintiff in person.
Defendant no. 1 in person with ld. Counsel Sh. Manmohan
Satija.
Applicant/Defendant no. 2 in person with ld. Counsel
Sh.Suresh Chaudhary.

As per the report over envelopes sent through speed post, proposed Defendants -Sh. Jai Bhagwan, Smt. Sapna and Smt. Savita Sharma were unserved with the report that '*not residing at the given address*'.

The speed post envelopes sent to the said proposed Defendants at the address of the suit property have also returned with the report that they are not residing there.

As per the process server report, proposed defendant Smt. Sapna was contacted by the process server on her mobile number 8449938912 and said Smt. Sapna stated to the process server that she has no concern with the present case and presently she is residing at delhi, however, current address has not been disclosed.

Ld. Counsel for Defendant no. 2/applicant requests that the proposed Defendants may be served through affixation at the suit property address. He further submits that proposed defendants may also be served at the address mentioned in the sale deed through publication and he will move an appropriate application in this regard. Ld. Counsel seeks time to move an appropriate application in this regard.

Ld. Counsel for Defendant no. 1 submits that he seeks some more time to file reply to the show cause notice dated 06.05.2024.

Ld. Counsel for defendant no. 2 has vehemently opposed the adjournment sought by ld. Counsel for defendant no. 1.

Defendant no. 1 submits that he had one property in his name i.e. C-238, Jhilmil Colony, Behind Vivek Vihar police station, which he had disposed off about one week before as there was loan on

the said property from IDFC Bank and after disposing off the property, he has repaid the loan. Defendant no. 1 submits that he has two bank accounts i.e. **-A/c No. 02110010003041 in the Kotak Bank, Yojna Vihar, Delhi and A/c no. 10076511468 in the IDBI bank, Jagriti Enclave, Delhi.**

Considering the facts and circumstances, it would be appropriate, if the operation of these two bank accounts of Defendant no. 1 are freezed till further order. Ordered accordingly.

The Manager of aforesaid Banks are directed to file statement of account w.e.f. 03.12.2020 to till date in the court positively on the next date.

A copy of this order be sent to the Banks concerned for necessary complaine and a Report be filed by the Banks concerned in this regard.

Defendant no. 1 is directed to file complete details of his assets and liabilities on affidavit on or before next date of hearing positively with advance copy to the other side.

Another application filed by Defendant no. 1 under Section 151 CPC for stay of proceedings. Copy supplied.

Reply to said application be filed within 03 days with copy to other side.

Put up for further proceedings on **19.07.2024.**

On request, a copy of this order be given dasti to all the parties.

(MOHAMMAD EHTESHAM)
District Judge-03 (Shahdara),
KKD Courts, Delhi. 10.07.2024.