

19.07.2024

Present : Plaintiff is appearing through VC.
Defendant no. 1 in person with Id. Counsel Sh. Manmohan Satija.
Sh. Gagan Kumar Singhal, Ms. Riya Verama, Id. Counsel for Defendant no. 2 /applicant with Applicant in person.

A. Ld. Counsel for Defendant no. 1 seeks time to file reply to the show cause notice dated 06.05.2024.

Be filed within a week positively on record.

B. In between an application under Order 5 Rule 20 CPC has been filed by Defendant no. 2/applicant to serve the proposed defendant through publication.

For the reasons stated in the application, the same stands disposed off as **allowed**. Let the proposed defendant be served by way of affixation at the suit property and through publication in the newspaper on the addresses mentioned in the sale deed. PF and necessary publication charges be filed within 07 days.

Ld. Counsel for defendant no. 2 submits that proposed Defendants no. 1 to 3 are residents of Roorkee (Haridwar), Rohtak (Haryana) and Bijnor (Uttar Pradesh) respectively. Ld. Counsel thus requests that said Defendants be served by way of publication in the newspapers 'Rashtriya Sahara (Dehradun edition), Times of India (Haryana Edition) and Rashtriya Sahara (Western UP Edition) respectively.

Heard. The aforesaid request stands allowed. Let the proposed defendants no.1 to 3 be served in the aforesaid newspapers suggested by the Ld. Counsel for defendant no. 2.

C. Defendant no. 1 has filed affidavit deposing his complete assets and liabilities. Copy supplied.

Perusal of said Affidavit shows that the Defendant no. 1 is having four bank accounts, as detailed in the affidavit.

Ld. Counsel for Defendant no.2 submits that on the previous date, Defendant no.1 had stated that he was having two accounts.

Considering the facts and circumstances of the case, it **would be appropriate if the operation of all four Bank accounts of Defendant no. 1, whose details are as under, are freezed till further order:-**

1. Saving A/C no. 100165114658
Name :Sh. Indu Shekhar Sharma
IDFC Bank, 417, Jagriti Enclave, Anand Vihar, Delhi.

2. Saving A/C no. 159818405530
Name :Sh. Indu Shekhar Sharma
INDUSIND Bank, 181, Jagriti Enclave, Anand Vihar, Delhi.

3. Saving A/C no. 02110010003041
Name :Sh. Indu Shekhar Sharma
Kotak Mahindra Bank, A-23, Yojna Vihar, Delhi.

4. Saving A/C no. 9247328243
Name :Sh. Indu Shekhar Sharma HUF
Kotak Mahindra Bank, C-330, Vivek Vihar, Delhi.

Ordered accordingly

D. Perusal of record shows that despite service, no one has appeared from Kotak Bank, Yojna Vihar branch and IDBI Bank, Jagriti Enclave, Delhi.

Be awaited.

Let a Report be called from the all four banks (*as detailed above*) regarding statement of account of Defendant no. 1 for period w.e.f. 03.12.2020 to till date.

Put up for further proceedings on **30.08.2024**.

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

At 2.00 PM

At this stage, Sh. Mangat Kumar, Deputy Manager from Kotak Mahindra Bank, Yojna Vihar, Delhi has appeared and has filed statement of account.

Perusal of same shows that said statement is incomplete.

The said official is bound down for the next date to appear along with correct statement of account in terms of last order.

Next date has been apprised.

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

At 2.30 PM.

At this stage, Sh. Karan Bhardwaj, Teller from IDFC First Bank, Anand Vihar, Delhi has also appeared and has filed requisite statement of account.

Next date has been apprised.

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

At 4.10 PM

At this stage, Ld. Counsel for Defendant no. 2 has appeared and seeks permission to go through the statement of accounts brought by the Kotak Bank and IDFC Bank.

Ld. Counsel after going through the statement of accounts submits that wrong statement of accounts have been filed by the said banks.

In such circumstances, **issue fresh notice upon all the four banks (*as mentioned in the affidavit filed by the Defendant no. 1 today in the court*), to file Statement of Account of Defendant no. 1 for the period w.e.f. 03.12.2020 to till date.**

A copy of this order be also annexed with the court notice.

Put up on date fixed i.e. 30.08.2024.

A copy of this order be given dasti to all the parties.

(MOHAMMAD EHTESHAM)
District Judge-03 (Shahdara),
KKD Courts, Delhi. 19.07.2024.