

11.12.2024

(Regular Second PA is on leave today and no substitute has been provided by the Admin. Branch in her place.)

Present : Plaintiff in person.
Defendant no.1 in person.
Sh. Diyanshu Pandit/Defendant no. 2 in person, who is an Advocate also.
Sh. Gagan Kumar Singhal, Ld. counsel for Defendant no. 2 (through VC).

Perusal of record shows that Defendant no.1 has filed his affidavit along with bank statement.

Be awaited for ld. counsel for Defendant no. 1.

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

At 12.45 PM.

Present : Plaintiff in person.
Defendant no.1 in person.
Sh. Diyanshu Pandit/Defendant no. 2 in person, who is an Advocate also with ld. counsels Sh. Gagan Kumar Singhal, Sh. Suresh Chaudhary and Ms. Riya Verma.

Defendant no. 2 has shown tabulated compilation of transfer of money to different bank account from the bank account of Defendant no. 1. He ensures to file the same through proper channel/e-filing.

Perusal of affidavit filed by Defendant no. 1 shows that there is no immovable property in his name. Further, there is no share in his portfolio in the five Demat accounts. Further, there are no mutual fund, no FDR in his name. Further, Defendant no. 1 is having account balance of Rs.9,576/- in his bank account of IDFC Bank, Anand Vihar, Rs.1/- in Kotak Mahindra Bank, Vivek Vihar, Zero balance in IndusInd Bank, Anand Vihar and Rs.1,659/- in his Kotak Mahindra Bank, Yojna Vihar.

Ld. Counsel for Defendant no.2 submits that Defendant no. 1 has received Rs.10,45,000/- and Rs.15,88,000/- on 13.12.2022 and 17.05.2023 respectively in his Kotak Mahindra Bank Account No. 247329243. Ld. counsel further submits that Defendant no. 1 also received Rs.32 lacs as sale consideration of the part of suit property on 07.12.2020 in his Bank account 02110010003041. Ld. counsel submits that Defendant no. 1 has transferred Rs.4,24,000/- on different dates in May and July 2023 in the account of his wife Smt. Mamta. Rs.3 lacs in the account of Sh. Raman Sharma.

Defendant no. 1 submits that he has used the substantial part of the money which he received by selling the suit property in the auction market/shares and has suffered substantial loss therein.

Ld. Counsel for Defendant no.2 seeks some time to file an application under Order XXXVIII CPC.

Defendant no. 1 seeks some time to make submissions to furnish security of the amount mentioned in the sale deed in question related to the suit property which he has received.

Put up for further proceedings on **23.12.2024**.

(MOHAMMAD EHTESHAM)
District Judge-03 (Shahdara),
KKD Courts, Delhi.11.12.2024.