

21.05.2024

Present:- Sh. Amit Kumar, counsel for DHs.

On behalf of DHs, an application under order XXI Rule-64 r/w 151 Cr.PC has been moved with the prayer that the property which has been attached by SDM concerned belonging to JD be sold towards satisfaction of the award amount inclusive the interest. Order dated 27.02.2024 reflects that on behalf of SDM concerned, report was filed mentioning that the property bearing no. "C-4/13A, Block-C, Acharya Niketan, Mayur Vihar, Delhi" was attached in compliance to the direction of this Tribunal vide order dated 16.05.2023. Vide said report, request was made seeking more time to be given for recovery proceedings against JDs. The grievance of DHs is that JDs are not depositing the award amount except Rs.3,00,000/- and Rs.5,00,000/- and approximately Rs.18,33,740/- are still due. Recovery Certificate has already been issued by this Tribunal. Accordingly, SDM concerned is directed to expedite the process in accordance with law and recover the amount by way of auction of the property so attached.

Liability of both the JDs has to be joint and several implying thereby that any of the JD is liable to satisfy the award amount in *toto*. Application is disposed of.

Copy of this order be sent to SDM concerned for compliance.

Put up for filing compliance report by the SDM concerned on 29.07.2024.

(Vijay Kumar Jha)
PO MACT-01/SHD/Delhi
21.05.2024