

M/s. Motiwala & Sons vs. Jaspal Singh
Ex. no. 296/2020

25.01.2024

Present: AR of DH with Ms. Richa Sharma, Advocate
None for JD

On the last date of hearing i.e. 09.01.2024 Sh. Mohit Khanna, Advocate had appeared for JD and had informed the court that JD had gone to Dubai. Counsel for DH had sought permission to move an appropriate application for attachment of assets of JD.

Today two applications have been moved by Ms. Sharma on behalf of DH. An application under Order XXI Rule 41 CPC has been moved seeking directions to the JD to file affidavit of his assets. JD has chosen not to appear despite notice of the proceedings. The application is therefore allowed. JD is directed to disclose his assets by way of an affidavit to be filed on or before the next date of hearing.

Second application has been moved under Order XXI Rule 30 CPC seeking issuance of warrants of attachment against the JD with respect to two properties as described in para 4 of the application. It is noticed that one of the properties so disclosed is situated beyond the territorial jurisdiction of this court whereas the other property is situated in Ghitorni, Delhi which is within the territory of Delhi. Since JD has chosen not to appear before the court, this court is of the opinion that directions for attachment of the movable and immovable assets of the JD lying in the aforesaid property can be ordered. Application is therefore allowed and ordered accordingly.

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Parties are directed to appear before the learned ACJ(Central), Tis Hazari Courts, Delhi on 29.01.2024 for appointment of bailiff with directions to attach the movable assets of JD lying in property no. 252, 1st Floor, Ghitorni, Delhi-110 030 under the name and style of M/s. Jaslon Overseas.

To come up before this court on 24.02.2024.

(NAROTTAM KAUSHAL)
Principal District & Sessions Judge (Central)
Delhi/25.01.2024 (rd)