

06.05.2026

Present: Ld. Counsel for DH.
Sh. Jitender Tanwar, Ld. Counsel for Objector through VC.

Application has been filed by the Objector/LRs of the JD for release of property.

I have already decided the objections raised by the Objector Jyoti.

Today also objections have been filed by the said objector Jyoti, although, as LR of JD. It is claimed that the said property is in unauthorized colony and therefore, cannot be sold by the court.

This kind of argument cannot be permitted, as any right and interest of the JD in the said property can always be sold by the court.

Vide order dated 25.07.2025, one shop private no.2, Ground Floor with roof rights at plot bearing no. C-168, part of Khasra no. 31/15, Village Dabri, Dashrathpuri, New Delhi was attached, as belonging to the JD.

Thereafter, objections were filed by one Jyoti claiming that she had purchased the property from the JD by way of GPA, Agreement to Sell, Will, etc. in the year 2003. The objections were dismissed by the court vide order dated 13.03.2026, claiming that the said documents would not transfer any right in the property, as they are unregistered.

It was further held that the Will would, at the most, make the objector a LR of the deceased JD and the estate of the JD would always be liable to attachment even in the name of the LR. Therefore, the property was entitled to attachment.

Time was given to the parties to file valuation. Valuation has already been filed by the DH, according to which market value of the land and building is Rs.13,22,000/-.

Decree can be satisfied by the sale of the said shop and roof rights need not be auctioned at this stage.

Therefore, proclamation of sale of shop private no.2, Ground Floor without roof rights at plot bearing no. C-168, part of Khasra no. 31/15, Village Dabri, Dashrathpuri, New Delhi, be drawn and published in the manner prescribed by Order 21 Rule 54 sub-rule (2) of CPC on filing of PF and costs of publication.

Proclamation of the sale by public auction and sale of property through Court Auctioneer appointed by the Nazarat Branch, Dwarka Courts be conducted on the spot as per following schedule:

Court Door	On Spot	Auction/Sale	Report
20.05.2026	01.06.2026	22.06.2026	22.07.2026

Notice be issued to the Court Auctioneer for sale of property through public auction as per aforesaid schedule and for depositing the sale proceeds (amount) to be distributed between DH and JD alongwith report on the next date.

It is directed that the property be sold by way of public auction by the Court Auctioneer. Further, it is directed that the Court Auctioneer shall record and videograph the proceedings of auction, so as to ward off any controversy at a later stage.

(HARJYOT SINGH BHALLA)
DJ-03, SOUTH-WEST, DWARKA
NEW DELHI/06.05.2026