

**10.11.2023**

Present: Sh. B.R. Kaushik, Ld. Counsel for DH along with DH.  
Ms. Madhu Vohra, wife of JD in person.

As per the report of the bailiff, the movable goods have been attached in pursuance of the order for attachment under Order XXI R 54 of CPC. No objections have been received to the attachment. Therefore, this Court deems it fit to pass orders under Order XXI R 64 of CPC for sale of the movable goods of LRs of JD as per the valuation report provided by the LRs of JD themselves marked as Mark X, in satisfaction of the claim of the decree holder in the suit no. 544/17 passed by the Court.

Accordingly, four dates of the auction of movable goods of LRs of JD as per the valuation report provided by the LRs of JD themselves marked as Mark X in question are given i.e. **04.12.2023 (Court Door), 05.01.2023 (On the spot), 04.01.2024 (Auction) and 12.01.2024 (Report)**. Ld. Counsel is directed to publish the notice in daily newspaper Veer Arjun on filing of necessary publication charges along with PF within one week from today.

The auction of movable goods of LRs of JD as per the valuation report provided by the LRs of JD themselves marked as Mark X in question will be by public auction, and the goods will be put up for auction in the lots specified in the schedule. The auction of movable goods of LRs of JD as per the valuation report provided by the LRs of JD themselves marked as Mark X will be of the goods of the LRs of judgment debtor as mentioned in Mark X; and the liabilities and claims attaching to the said goods, so far as they have

ascertained, are those specified in the schedule against each lot. In the absence of any order of postponement, the auction of movable goods of LRs of JD as per the valuation report provided by the LRs of JD themselves marked as Mark X will be held on dated **04.01.2024** at the court premises, South West, Dwarka in the convenience of the auctioneer. In the event, however, of the debt above specified and of the costs of the auctioneer being rendered or paid before the knocking down of any lot, the auction will be stopped.

At the auction of articles attached from the bailiff list of the articles enclosed herewith, the public generally are invited to bid, either personally or by duly authorized agent. No bid by, or on behalf of the judgment-creditors above mentioned, will be accepted, nor will any auction of articles to them be valid without the express permission of the Court previously given. The following are the further conditions of sale:

- i) That the particulars specified in the schedule below have been stated to the best of information of the Court, but will not be answerable for any error, mis-statement or omission in the proclamation;
- ii) The amount by which the bidding are to be increased shall be determined by the officer conducting the auction. In the event of any dispute arising as to the amount bid, or as to the bidder, the lot shall at once be again put up to the auction;
- iii) The highest bidder shall be declared to be the purchaser of any lot, provided always that he is legally qualified to bid, and provided that it shall be in the discretion of Court or officer holding the auction of articles to decline acceptance of the highest bid when the price offered appears so clearly inadequate as to make it advisable to so;
- iv) For reasons recorded, it shall be in the discretion of the officer conducting the auction of article(s) to adjourn if subject always to the provisions or rule 69 of Order XXI of CPC;
- v) In the case of movable articles, the price of each lot shall be paid at the time of auction of articles or as soon after as the officer

holding the auction of vehicle directs and in default of payment, the article/vehicle, auctioned by the auctioneer shall forthwith be again put up and re-sold;

vi) In case of movable article, the person declared to be the purchaser shall pay immediately after such declaration a deposit of 25% of the amount of his purchase money to the officer conducting the auction of article/vehicle and in default of such deposit the article shall forthwith be put up again and re-sold;

vii) The full amount of the purchase money shall be paid by the purchaser before the Court closes on the 15<sup>th</sup> day after the auction of vehicle, exclusive of such day, or if the 15<sup>th</sup> day be a holiday, then on the first working day after 15<sup>th</sup> day.

viii) In default of payment of the balance of purchase money within the period allowed, the auction of the article/vehicle shall be re-sold after issue of fresh notification of the auction of the articles. The 25% bid amount shall be forfeited.

The auctioneer is directed to file report after 7 days of the date given for auction. Let notice be issued to the approved auctioneer on filing of PF with copy of this order.

To come up for report of the auctioneer on  
**12.01.2024.**

**(DIVYANG THAKUR)**  
**ADJ-03/ SOUTH-WEST**  
**DWARKA/ NEW DELHI**  
**10.11.2023 (A)**