

Ex. No. 131/2024
Sunita Sharma & Ors Vs.
Anil Kumar Sharma

09.06.2025

Present: DHs with Ld. Counsels Sh. Deepak Jangra and Sh.
Amit Kumar Sharma.
JD.

Today copy of notification no. F.1(953)/Regn.Br./Div.Com./HQ/2014/5943, dated 22.09.2014, issued by order of Lt. Governor of NCT of Delhi, is filed on behalf of DHs in order to show valuation of the suit property as per circle rates. At request, JD is allowed to click photo of the same.

Ld. Counsels for the DHs have prayed that the suit property be directed to be sold off by way of public auction and the JD has no objection to the same.

The present execution is based on compromise decree dated 02.11.2023, passed in case CIV DJ 119/2022, pursuant to settlement between the parties before the Mediation Centre dated 23.08.2023, copy of which is part of the decree as Ex.P1. By way of the settlement the parties have admitted that all the plaintiffs (DHs herein) jointly have half share in the suit property whereas the remaining half share therein belongs to the defendant (JD herein) and it was mutually agreed by the parties that the suit property would be sold to prospective buyer and the sale proceeds thereof shall be divided amongst them in proportion of their shares.

After appearing before the Court the JD has filed

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objection mainly contending that before filing the execution, the DHs have not made effort to find out any prospective buyer. In reply to the objection filed on behalf of the DHs, the aforesaid contention is controverted by stating that the DHs have brought several prospective buyers and that the JD himself was part of two meetings which were held at the suit property and residence of one prospective buyer Sh. Paramjeet Singh Ahuja.

There is no substance in the objection filed by the JD. Moreover, earlier Ld. Counsel for the JD has urged before the Court to pass direction for conducting auction sale of the suit property, as recorded in order dated 29.03.2025 and today the JD has also conceded to the same. Accordingly, the objection of the JD stands disposed off as dismissed.

Before proceeding to pass directions for auction of the suit property, it is required to be attached as per the provision u/o XXI Rule 54 CPC.

Issue warrants of attachment of the suit property i.e. Shop No.18, New Market, Tilak Nagar, New Delhi-110018, for NDOH, on taking necessary steps by the DHs within ten working days.

DHs to appear before Ld. ACJ for appointment of bailiff on 15.07.2025.

Terms of proclamation of the auction sale shall be settled on NDOH.

Put up for consideration on **08.08.2025**.

(GOPAL SINGH CHAUHAN)
DJ-03, WEST/DELHI
09.06.2025