

27 EX CIVIL 149/23
ATUL MALHOTRA Vs.
ANIL KUMAR GUPTA

28.02.2025

Present: DH in person along with Id. Counsel Sh. Vidur Sikka.

Ld. Counsel for DH has filed his objections to the affidavit filed by JD declaring his assets.

DH has also filed an application u/s 340 CrPC.

Let the application u/s 340 CrPC be checked and registered separately and proceedings in the said application shall be taken up separately.

Issue notice of the application u/s 340 CrPC to JD on filing of PF, RC for the NDOH.

Ld. Counsel for DH prays for issuance of warrants of attachment of movable property of JD. Ld. Counsel seeks attention of this Court to the affidavit filed by JD dated 14.03.2024, wherein, the JD has stated that he owns a scooter bearing regn. no. DL-9SAP-1759 and therefore, he also prays for attachment of the same. He submits that his application seeking attachment of movable property is already on record.

After going through the record, this Court is of the considered opinion that sufficient opportunity has been granted to the JD for execution of the present decree. Considering the facts and circumstances, this Court is of the view that there is no impediment in proceeding ahead with the attachment of the movable properties of the JD.

Warrants of attachment be issued against JD qua the

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movable properties upon filing of PF as well as filing of statement of account and an affidavit of the present address of JD where the warrants of attachment qua the movable properties is to be executed. DH is also directed to file an affidavit regarding no stay on the execution proceedings

Parties are directed to appear before the Court of Ld. ACJ on **20.03.2025**.

Now to come up for report on **04.04.2025**.

(SUMIT DALAL)
District Judge-04
South West, Dwarka Courts
New Delhi/28.02.2025