

<u>00</u> <u>01.04.2025</u> <u>SPL CASE</u> <u>NO.1148/2022</u> <u>Exh.17</u> <u>Exh.18</u>	<u>CORAM - H.H.J. SHRI. N. G. SHUKLA -(C.R.NO.20)</u> <u>NOT ON BOARD TAKEN ON BOARD</u> SPP Mr. Gharat for State present. IO API Mr. Sandeep Salunkhe for EOW present and through SPP filed application to take the matter on today's board. TOR marked as Exh.17. O-Granted. He also filed application for sale of movable properties for want of place to keep the said movable properties. TOR marked as Exh.18. O-Perused the application and panchnama of seizer of movable articles dt.28.03.2025. The movable property was in the shades beneath the land attached by CA. This court released the attachment of said land by the order dt.24.02.2025 in MA No.145/2025 and possession was handed over by the CA to National High Speed Railway Corporation Ltd.. Said corporation had requested to EOW to remove the movable properties as said corporation was going to demolish the structure standing on the said land for construction of high speed railway, the project of Central Government. Therefore, IO has seized said movable properties and filed said application.. IO submitted that all the movable properties are waisted and not of re-use. It needs to be sold in auction immediately as no place is available to shift said movable properties. IO has seized said movable properties u/sec. 102 of CrPC. Thus seizure of movable property is legal as the property is belong to accused / financial establishment. There is no any place available for shifting the said movable properties which are waist and not of re-use. Rule 8 of MPID Rules 1999 empowers MPID Court to allow to auction the movable properties which are subject to speedy and natural decay or if it is otherwise so to do. The movable properties mentioned in the present application Exh.18 are waist properties and if permission to sale by auction is not granted, value of the said properties will be decreased day by day. Moreover there is no place available with EOW to shift and keep said movable properties as it is for auction by attachment as per section 4 of MPID Act. These two reasons are sufficient to allow the IO of EOW to sale movable properties mentioned in the item no.1 to 23 in application Exh.18 expeditiously. Hence I pass following order. <u>ORDER BELOW EXH.18</u> Application Exh.18 is allowed. 2. IO API Sandeep Salunkhe of EOW is permitted to sale movable properties attached vide panchnama dt.28.03.2025 which are mentioned in item no.1 to 23 in the present application Exh.18 by way of auction by calling tenders from the intended purchasers.
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3. IO of EOW is directed to complete auction sale of said movable properties within three weeks and deposit sale proceeds in the bank account opened in connection with this crime and file compliance report.

4. As per request of IO, he is permitted to shift documents seized from the shade in aforesaid land to keep in Maitreya Bhavan, Navghar, Survey No.7, Hissa No.5 which is the immovable property attached at Sr. no.15 in the notification dt.30.11.2017.

5. IO shall submit statement of expenses to be incurred for auction sale and shifting the documents along with the compliance report. He is also permitted to incur said expenses from the sale proceeds and mention in the said statement.

6. Application Exh.18 is disposed off.

Authenticated copy of this roznama be given to IO.

Matter adj to 17.04.2025.

Judge