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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ EX.P. 31/2024

RAMA NANDA & ORS.

... Decree Holders

Through : Mr. M.S. Vinaik and
Mr. Deepak Bashta,
Advocates with
Mr. Raj Nath Nanda,
Decree Holder No. 3.

versus

KIDARSONS INDUSTRIES PVT LTD & ORS. ... Judgement Debtors

Through : Mr. Tejasvi Chaudhry and
Mr. Prabhav Bahuguna,
Advocates with
Ms. Madhu Nanda,
Judgement Debtor No. 5.

AND

+ EX.P. 32/2024

KIDARSONS INDUSTRIES PVT LTD

... Decree Holder

Through : Mr. Tejasvi Chaudhry and
Mr. Prabhav Bahuguna,
Advocates with
Ms. Madhu Nanda,
Director of Decree Holder.

versus

HANSA INDUSTRIES PVT LTD & ORS. ... Judgement Debtors

Through : Mr. M.S. Vinaik and
Mr. Deepak Bashta,
Advocates with
Mr. Raj Nath Nanda,
Judgment Debtor No. 3.

CORAM:

REGISTRAR (ORIGINAL) MR. ALOK MADAN



ORDER

22.11.2024

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Perused the report given by the Custodian of the Original Side (*at page 14 of Part-V of Ex.P. 32/2024*) as well as the report given by the RKD (Original) (*at page 17 of Part-V of Ex.P. 32/2024*).

Mr. Alok Kumar Sharma, RKD (Original), present with Mr. Amit Kumar, JA, stated that case-file of Ex.P. No. 103/1993 was returned to the concerned Dealing Assistant in August, 2015. However, on asking to show the receipt thereof, a register was produced – a perusal of the relevant pages thereof revealed that it does not contain any signature/acknowledgement of receipt of the said case-file, while rest of the pages, i.e., two pages prior to the said entry as well as two pages after the said entry, duly bear the signature/acknowledgement of the concerned Dealing Assistant. Hence, the plea sought to be taken that in rush of work, the receiving could not be taken by the then officials, cannot be accepted. Mr. Alok Kumar Sharma requested that at least two weeks' time may be granted to try to make another attempt to trace the said case-file in RKD Branch of this Court, Karkardooma Courts and Rouse Avenue Courts where the case-files of RKD are lying. The said photocopies of five pages of RKD's register be placed in Part-V of Ex.P. 32/2024.

The present concerned Dealing Assistant, namely, Ms. Neelam Chaudhary, SJA, present with Mr. Gulfam, JJA of the Original Branch, stated that they tried to trace the said case-file in Original Branch but to no avail. However, they will also make another attempt to trace the same in Original Branch.

Let fresh written report be submitted by the RKD Branch through its Registrar in respect of the availability and/or non-availability of the case-file of Ex.P. 103/1993 and the original title documents (i.e., original title deed dated



08.05.1978 of 41, Golf Links, New Delhi and dated 31.03.1965 of C-326, Defence Colony, New Delhi). The concerned AOJ (RKD) to remain present on the next date also.

List on 09.12.2024.

NOVEMBER 22, 2024

REGISTRAR (ORIGINAL)