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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ EX.P. 17/2016

VIVAN SOMDUTT & ANR

..... Decree Holders

Through: Mr. Atishree Sood & Mr. Aditya Sarin, Advs.

Versus

ARJUN SOMDUTT & ANR.

..... Judgement Debtors

Through: Mr. Dhruv Mohan & Ms. Ritu Sharma, Advs. for JD-2.

AND

EX.P. 61/2018, EA No.272/2018 (u/S 36 r/w O-21 R-24 CPC) & EA No.306/2018 (u/S 151 CPC)

KRISHAN KUMAR WADHWA & ORS. Decree Holders

Through: Mr. Jayant K. Mehta, Mr. Samar Bansal, Mr. S. Mishra & Mr. Manan Shishodia, Advs.

Versus

ARJUN SOM DUTT & ORS.

..... Judgement Debtors

Through: Mr. Atishree Sood & Mr. Aditya Sarin, Advs. for JD-2 & JD-4.

Mr. Dhruv Mohan & Ms. Ritu Sharma, Advs. for JD-3.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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10.10.2019

1. The counsel for the decree-holders in Ex.P.No.61/2018 and others has contended that though the order dated 12th November, 2018 of this Court directing sale of property No.B-8, Maharani Bagh, New Delhi has to that extent been stayed by the Division Bench of this Court but there is no stay of proceedings and the judgment-debtors have not filed affidavits as they were directed to file, disclosing their assets.



2. On specific query as to what information is required from the judgment-debtors, the counsel for the decree-holders states that the judgment-debtors Arjun Som Dutt, Vivaan Som Dutt, Pritha Som Dutt and Roop Talwar should state before this Court on affidavit supported by documents the money trail of the monies received from the decree-holders. It is contended that judgment-debtor Roop Talwar is a resident of UK and she should also file an affidavit disclosing all her bank accounts. Though, it is also contended that disclosures should include the bank accounts held by the judgment-debtor Roop Talwar in UK but on enquiry as to the purpose the same will serve, no satisfactory explanation has been forthcoming.
3. The four judgment-debtors are directed to, within four weeks, with advance copy to advocate for decree-holders, file affidavits in this Court disclosing the accounts in which the cheques received from the decree-holders were deposited and encashed and how the monies so received from the decree-holders have been dealt with, along with the statement of accounts in which the said monies were encashed / transferred, from 3rd January, 2012 till date.
4. List for further consideration on 25th February, 2020.
5. If affidavits are not filed, it will be open to the decree-holders to take appropriate remedies.

RAJIV SAHAI ENDLAW, J

OCTOBER 10, 2019

‘gsr’..

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