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

+ **EX.P. 17/2016**

MR VIVAN SOMDUTT & ANR

.....Decree Holder

Through: Mr. Munindra Dvivedi, Ms. Divya
Bhalla and Mr. Abhishek Chauhan,
Advs. for DH-1
Mr. Achal Gupta, Mr. Ankit
Rajgarhia, Ms. Yashodhara Gupta and
Mr. Karan Jain, Adv. for DH-2
(Through Physical)

versus

MR ARJUN SOMDUTT & ANR

.....Judgement Debtor

Through: Mr. Ashok Kumar Chhabra, Adv.
Mr. Keshav Kumar, Adv. for JD-1
Mr. Raghav Wadhwa and Ms. Ishita
Kheria, Adv. for applicant in Ex. Appl
(OS) 1935-36/2024
(Through Physical)

Mr. Danish Aftab Chowdhary, Adv.
for JD-2
(Through VC)

CORAM:

REGISTRAR GENERAL KANWAL JEET ARORA

ORDER

08.01.2025

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1. Vide order dated 10.12.2024, the Hon'ble Court, *inter alia*, has directed as under:-

“10. In view of the facts and circumstances, this Court is inclined to make one more attempt to sell the property in question through an auction to ensure that maximum price is received for the property.



11. Though there are three proposed bidders in Court who have shown their interest in buying the property in question, instead of appointing a Court Auctioneer this Court deems it fit to direct the Registrar General of this Court to conduct the auction in the Court by giving one more advertisement inviting bids for the property in question at the cost of the Decree Holders.

12. The Registrar General is directed to conduct the bidding in the Court and decide the price at which the property is to be sold, on the basis of bidding. The bidders who are interested in participating in the bidding process are directed to deposit Rs.5.5 crores as earnest money to show their bona fides. It is made clear that no bid shall be accepted without the deposit of earnest money. It is also made clear that the base price of the property in question shall be not less than Rs.58 crores as KTG Software Pvt. Ltd. has already shown interest in buying the property for Rs.58 crores. It is also made clear that after the auction, the vacant and peaceful possession of the property will be handed-over to the successful bidder within one month from the deposit of the sales consideration by the successful bidder.

13. List before the Registrar General on 08.01.2025.”

2. Pursuant to the aforesaid directions of the Hon’ble Court, the undersigned is proceeding to conduct the auction sale of the suit property i.e. *B-8, Maharani Bagh, New Delhi admeasuring 1150.00 Sq. Yards* (hereinafter referred as ‘Auction Property’), “ON AS IS WHERE IS BASIS” as per the following terms and schedule:-

- a) The open public auction of the “auction property” shall be conducted in the court of the Registrar General, Delhi High Court, Room No.121, ‘A’ Block, First Floor, Main Building, Delhi High Court on **10.02.2025 at 2.30 pm.**
- b) The reserve price of the “auction property” is fixed at **₹58 crores** in terms of the order dated 10.12.2024 of the Hon’ble Delhi High Court. To participate in the open auction, each bidder must deposit **₹5.50 Crore** in the Registry as earnest money in favor of the “Registrar General, Delhi High Court” via bank draft or banker’s cheque latest by 07.02.2025 (court working hours).
- c) The “auction property” shall be open for inspection by prospective buyers between **16th January 2025 to 05th February 2025**, between **10:00 AM to 4:00 PM**. The party in possession of the “auction property” shall render all assistance and facilitate the prospective buyers in inspecting the “auction property”.



- d) The proclamation of auction sale shall be displayed on or before **15th January 2025**, on the notice boards of the Delhi High Court and all District Court Complexes in Delhi, as well as the office of the concerned Sub-Registrar within whose jurisdiction the auction property is situated. *Additionally*, the proclamation of the auction sale shall also be published online on the websites of the High Court of Delhi and also on the websites of all the Delhi District Courts as well as the Common website of the Delhi District Courts on or before **15th January 2025**.
- e) The proclamation of auction sale be affixed at the auction property at a conspicuous place in the presence of witnesses from the locality on or before **15th January 2025**, between **10:00 AM to 4:00 PM**.
- f) The proclamation of the auction sale be also published in two English dailies, namely, *The Times of India* and *Hindustan Times*, and two Hindi dailies, namely *Navbharat Times* and *Hindustan*, on or before **15th January 2025**. The expenses of the publication shall be borne by the decree holder and the copies of the said English/Hindi dailies be filed in the court. The sale proclamation in English and Hindi respectively attached as ***Annexure 'A' and Annexure 'B'*** with this order are approved for publication.
- g) The parties to the suit shall be entitled to participate in the open public auction.
- h) The bids may be submitted by participating bidders/prospective buyers even jointly with another person including a lender/ financial supporter to the said participating bidder. If a bid is submitted jointly, the obligation of the successful joint bidder/ auction purchaser to pay the final bid price shall be joint and several.
- i) Upon conclusion of the auction, the name of the highest bidder and the second highest bidder of the auction property shall be declared and the deposits made by the unsuccessful bidders shall be returned by the registry within seven working days.
- j) The successful bidder/highest bidder must deposit the final bid amount, after adjusting the earnest money, within **forty five days** in the registry via bank draft, banker's cheque, or electronic transfer (RTGS/NEFT) (*after deducting TDS and depositing the same with the income-tax department in the names of the parties to this suit in proportionate to their respective shares in the auction property*). In the event of non-compliance by the highest bidder, all deposits made shall stand forfeited, and the auction property, thereafter will be offered to the second-highest bidder under the same terms.



- k) Upon full payment by the successful bidder/highest bidder, vacant physical possession of the auction property, along with all the original documents, shall be handed over to the successful bidder/highest bidder/purchaser within **one month**. The parties shall execute and register the title documents in favour of the successful bidder/highest bidder/purchaser within **six weeks** from the date of full payment and all the costs and expenses incurred in getting the title documents executed and registered shall be borne by the purchaser. Other miscellaneous expenses and cost shall also be borne by the purchaser.
- l) All the outgoings relating to, concerning with and/or connected to the aforementioned auction property, whether on account of electricity, water, maintenance or property tax etc. upto the date of the sale, shall be borne by the parties to the suit in proportion of their respective shares therein and for the period/s thereafter, it shall be the responsibility and liability of the successful bidder/ purchaser to bear the same.
- m) The prospective buyers/bidders are required to submit the following details/documents in hard copy form with the Registry on or before **07th February 2025**:
- Name, Address, Mobile Number and email address for correspondence with the prospective buyer/bidder.
 - Proof of deposit of the earnest money i.e. **₹ 5.50 crore**.
- n) The sale in favour of the highest bidder shall become final only after approval of the bid by the Hon'ble Delhi High Court.
3. The matter be listed for sale of the "auction property" and further proceedings on **10th February 2025 at 2.30 pm**.
4. The copy of this order be given dasti to the learned counsel for the decree holder so as to enable him to get the proclamation of the open auction sale published in the two English Dailies and Hindi Dailies in terms of the para 2(f) above.
5. The registry is also directed to immediately take steps in compliance with para 2(d) and 2(e) above

KANWAL JEET ARORA
REGISTRAR GENERAL

JANUARY 8, 2025

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[Click here to check corrigendum, if any](#)



Annexure A

HIGH COURT OF DELHI
REGISTRAR GENERAL COURT
ROOM No.121, 'A' BLOCK, MAIN BUILDING, FIRST FLOOR,
SHERSHAH ROAD, NEW DELHI

OPEN AUCTION NOTICE

In terms of the directions of the Hon'ble High Court of Delhi dated 10.12.2024 passed in Ex. Petition 17/2016 titled Mr. Vivan Somdutt & Anr. Vs. Mr. Arjun Somdutt & Anr. and further in terms of the order dated 08.01.2025 passed by this court, auction sale of the auction property i.e. B-8, Maharani Bagh, New Delhi admeasuring 1150.00 Sq. Yards "ON AS IS WHERE IS BASIS" would be conducted as per the following terms and schedule:-

1. The open public auction of the "auction property" shall be conducted in the Court of the Registrar General, Delhi High Court, Room No.121, 'A' Block, First Floor, Main Building, Delhi High Court on 10.02.2025 at 2.30 pm.
2. The reserve price of the "auction property" is fixed at ₹58 crores in terms of the order dated 10.12.2024 of the Hon'ble Delhi High Court. To participate in the open auction, each bidder must deposit ₹5.50 Crore in the Registry as earnest money in favor of the "Registrar General, Delhi High Court" via bank draft or banker's cheque latest by 07.02.2025 (court working hours).
3. The "auction property" shall be open for inspection by prospective buyers between 16th January 2025 to 05th February 2025, between 10:00 AM to 4:00 PM. The party in possession of the "auction property" shall render all assistance and facilitate the prospective buyers in inspecting the "auction property".
4. The parties to the suit shall be entitled to participate in the open public auction.
5. The bids may be submitted by participating bidders/prospective buyers even jointly with another person including a lender/ financial supporter to the said participating bidder. If a bid is submitted jointly, the obligation of the successful joint bidder/ auction purchaser to pay the final bid price shall be joint and several.
6. Upon conclusion of the auction, the name of the highest bidder and the second highest bidder of the auction property shall be declared and the deposits made by the unsuccessful bidders shall be returned by the registry within seven working days.
7. The successful bidder/highest bidder must deposit the final bid amount, after adjusting the earnest money, within forty five days in the registry via bank draft, banker's cheque, or electronic transfer (RTGS/NEFT) (after deducting TDS and depositing the same with the income-tax department in the names of the parties to this suit in proportionate to their respective shares



in the auction property). In the event of non-compliance by the highest bidder, all deposits made shall stand forfeited, and the auction property, thereafter will be offered to the second-highest bidder under the same terms.

8. Upon full payment by the successful bidder/highest bidder, vacant physical possession of the auction property, along with all the original documents, shall be handed over to the successful bidder/highest bidder/purchaser within One month. The parties shall execute and register the title documents in favour of the successful bidder/highest bidder/purchaser within six weeks from the date of full payment and all the costs and expenses incurred in getting the title documents executed and registered shall be borne by the purchaser. Other miscellaneous expenses and cost shall also be borne by the purchaser.
9. All the outgoings relating to, concerning with and/or connected to the aforementioned auction property, whether on account of electricity, water, maintenance or property tax etc. upto the date of the sale, shall be borne by the parties to the suit in proportion of their respective shares therein and for the period/s thereafter, it shall be the responsibility and liability of the successful bidder/ purchaser to bear the same.
10. The prospective buyers/bidders are required to submit the following details/documents in hard copy form with the Registry on or before 07th February 2025:
 - i. Name, Address, Mobile Number and email address for correspondence with the prospective buyer/bidder.
 - ii. Proof of deposit of the earnest money i.e. ₹ 5.50 crore.
11. The sale in favour of the highest bidder shall become final only after approval of the bid by the Hon'ble Delhi High Court.

**KANWAL JEET ARORA
REGISTRAR GENERAL
HIGH COURT OF DELHI**



Annexure B

दिल्ली उच्च न्यायालय
रजिस्ट्रार जनरल कोर्ट
कमरा संख्या- 121, ए-ब्लॉक, मुख्य भवन, प्रथम तल,
शेरशाह रोड, नई दिल्ली

नीलामी सूचना

श्री विवान सोमदत्त एवं अन्य बनाम श्री अर्जुन सोमदत्त एवं अन्य शीर्षक वाली याचिका 17/2016 में पारित माननीय दिल्ली उच्च न्यायालय के दिनांक 10.12.2024 के निर्देशों के अनुसार तथा इस न्यायालय द्वारा पारित दिनांक 08.01.2025 के आदेश के अनुसार, नीलामी संपत्ति अर्थात् बी-8, महारानी बाग, नई दिल्ली जिसका क्षेत्रफल 1150.00 वर्ग गज है, की नीलामी बिक्री "जैसा है जहां है के आधार पर" निम्नलिखित नियमों और अनुसूची के अनुसार आयोजित की जाएगी:-

1. "नीलामी संपत्ति" की खुली सार्वजनिक नीलामी रजिस्ट्रार जनरल, दिल्ली उच्च न्यायालय, कमरा नंबर 121, 'ए' ब्लॉक, प्रथम तल, मुख्य भवन, दिल्ली उच्च न्यायालय के न्यायालय में दिनांक 10.02.2025 को अपराह्न 2.30 बजे आयोजित की जाएगी।
2. माननीय दिल्ली उच्च न्यायालय के दिनांक 10.12.2024 के आदेश के अनुसार "नीलामी संपत्ति" का आरक्षित मूल्य ₹58 करोड़ निर्धारित किया गया है। खुली नीलामी में भाग लेने के लिए, प्रत्येक बोलीदाता को 07.02.2025 (न्यायालय के कार्य समय) तक "रजिस्ट्रार जनरल, दिल्ली उच्च न्यायालय" के पक्ष में बैंक ड्राफ्ट या बैंकर चेक के माध्यम से रजिस्ट्री में बयाना राशि के रूप में ₹5.50 करोड़ जमा करने होंगे।
3. "नीलामी संपत्ति" संभावित खरीदारों द्वारा 16 जनवरी 2025 से 05 फरवरी 2025 के बीच, सुबह 10:00 बजे से शाम 4:00 बजे के बीच निरीक्षण के लिए खुली रहेगी। "नीलामी संपत्ति" के कब्जे में रहने वाला पक्ष संभावित खरीदारों को "नीलामी संपत्ति" का निरीक्षण करने में सभी सहायता और सुविधा प्रदान करेगा।
4. मुकदमे के पक्ष खुली सार्वजनिक नीलामी में भाग लेने के हकदार होंगे।
5. बोलियों में भाग लेने वाले बोलीदाताओं/संभावित खरीददारों द्वारा किसी अन्य व्यक्ति के साथ संयुक्त रूप से भी बोली प्रस्तुत की जा सकती हैं, जिसमें उक्त भाग लेने वाले बोलीदाता का ऋणदाता/वित्तीय समर्थक शामिल है। यदि संयुक्त रूप से बोली प्रस्तुत की जाती है, तो सफल संयुक्त बोलीदाता/नीलामी क्रेता का अंतिम बोली मूल्य का भुगतान करने का दायित्व संयुक्त और अलग-अलग होगा।
6. नीलामी के समापन पर, नीलामी संपत्ति के उच्चतम बोलीदाता और दूसरे उच्चतम बोलीदाता का नाम घोषित किया जाएगा और असफल बोलीदाताओं द्वारा की गई जमा राशि रजिस्ट्री द्वारा सात कार्य दिवसों के भीतर वापस कर दी जाएगी।
7. सफल बोलीदाता/उच्चतम बोलीदाता को बयाना राशि समायोजित करने के बाद, अंतिम बोली राशि को रजिस्ट्री में पैतालीस दिनों के भीतर बैंक ड्राफ्ट, बैंकर चेक, या इलेक्ट्रॉनिक ट्रांसफर (आरटीजीएस/एनईएफटी) के माध्यम से जमा करना होगा (टीडीएस काटने के बाद



और इसे नीलामी संपत्ति में उनके संबंधित शेयरों के अनुपात में इस मुकदमे के पक्षों के नाम पर आयकर विभाग के पास जमा करना होगा। उच्चतम बोलीदाता द्वारा अनुपालन न किए जाने की स्थिति में, सभी जमा राशि जब्त कर ली जाएगी, तथा उसके बाद नीलामी संपत्ति को उन्हीं शर्तों के अधीन दूसरे सबसे उच्च बोलीदाता को पेश किया जाएगा।

8. सफल बोलीदाता/उच्चतम बोलीदाता द्वारा पूर्ण भुगतान किए जाने पर, नीलामी संपत्ति का खाली भौतिक कब्जा, सभी मूल दस्तावेजों के साथ, एक महीने के भीतर सफल बोलीदाता/उच्चतम बोलीदाता/क्रेता को सौंप दिया जाएगा। पार्टियों को पूर्ण भुगतान की तिथि से छह सप्ताह के भीतर सफल बोलीदाता/उच्चतम बोलीदाता/क्रेता के पक्ष में शीर्षक दस्तावेजों को निष्पादित और पंजीकृत करना होगा तथा शीर्षक दस्तावेजों को निष्पादित और पंजीकृत करवाने में होने वाली सभी लागतें और व्यय क्रेता द्वारा वहन किए जाएंगे। अन्य विविध व्यय और लागत भी क्रेता द्वारा वहन की जाएगी।

9. बिक्री की तिथि तक, उपर्युक्त नीलामी संपत्ति से संबंधित और/या उससे जुड़े सभी व्यय, चाहे वे बिजली, पानी, रखरखाव या संपत्ति कर आदि के कारण हों, मुकदमे के पक्षकारों द्वारा उनके संबंधित शेयरों के अनुपात में वहन किए जाएंगे और उसके बाद की अवधि के लिए, इसे वहन करना सफल बोलीदाता/खरीदार की जिम्मेदारी और दायित्व होगा।

10. संभावित खरीदारों/बोलीदाताओं को 07 फरवरी 2025 को या उससे पहले रजिस्ट्री के साथ हार्ड कॉपी के रूप में निम्नलिखित विवरण/दस्तावेज जमा करने होंगे:

i. संभावित खरीदार/बोलीदाता के साथ पत्राचार के लिए नाम, पता, मोबाइल नंबर और ईमेल पता।

ii. बयाना राशि यानी ₹ 5.50 करोड़ जमा करने का प्रमाण।

11. उच्चतम बोलीदाता के पक्ष में बिक्री माननीय दिल्ली उच्च न्यायालय द्वारा बोली के अनुमोदन के बाद ही अंतिम होगी।

कंवल जीत अरोड़ा
रजिस्ट्रार जनरल
दिल्ली उच्च न्यायालय