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

+ EX.P. 17/2016 & CCP(O) 10/2024, EX.APPL.(OS) 1637/2023,
EX.APPL.(OS) 544/2024, EX.APPL.(OS) 1563/2024, EX. APPL.
(OS) 1935/2024, EX.APPL.(OS) 1595/2024, EX. APPL. (OS)
1936/2024, EX. APPL. (OS) 1968/2024, EX.APPL.(OS) 308/2025,
EX.APPL.(OS) 309/2025
MR VIVAN SOMDUTT & ANRDecree Holders

Through: Mr. Ashok K Chhabra, Mr. Om
Prakash, Mr. Jatin Arora, Advocates.
Mr. BB Gupta, Sr Advocate with Ms.
Meghna Mishra, Mr. Achal Gupta,
Mr. Ankit Rajgarhia, Ms. Yashodhara
Gupta and Mr. Karan Jain, Advs for
DH-2.

Mr. Munindra Dvivedi, Adv. Ms.
Divya Bhalla, Adv. Mr. Abhishek
Chauhan, Adv

versus

MR ARJUN SOMDUTT & ANRJudgement Debtors

Through: Mr. Keshav Kumar, Advocate for JD-
1.

Mr. Danish Aftab Chowdhury & Md.
Aamir Shoaib, Advs.

Mr. Samar Bansal, Mr. Vipul Kumar,
Mr. Bhargav R Thali, Mr. Pranav
Garg, Advocates for the Applicant in
EX. APPL. (OS) 1968/2024.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

06.03.2025

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1. Apropos to the auction which was conducted by the Registrar General
of this Court on 10.02.2025, the entire auction money stands deposited with



the Court.

2. The auction was conducted on the following terms:

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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:

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.*

*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.” (emphasis supplied)*

3. In the abovesaid terms, the parties were directed that they shall execute and register the title documents in favour of the successful bidder /purchaser within six weeks from the date of full payment. It is stated that full payment has been deposited.
4. Since full payment has been received, there is no impediment in the registration of the sale deed.
5. It is stated that a draft sale deed has been prepared by the successful bidder and has been circulated to all the parties. It is stated that the Plaintiff had certain objections which have been considered and the draft sale deed has been finalized.
6. Let the sale deed be presented before the Registrar General of this Court on 17.03.2025 for further proceedings.
7. Learned Registrar General of this Court is also directed to appoint a Joint Registrar of this Court as the Local Commissioner to ensure that the possession of the suit property is handed-over to the auction purchaser.
8. The Local Commissioner would be entitled to a fee of Rs.1,00,000/- to be paid by the auction purchaser. The Local Commissioner would be free to take the aid of the Local Police to ensure that the auction purchaser is handed-over the possession of the suit property.
9. List before this Court on 09.04.2025 at 04:00 PM for compliance.



10. The Contemnor is directed to be present in Court on the next date of hearing.

SUBRAMONIUM PRASAD, J

MARCH 06, 2025

Rahul