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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 6/2022 & I.As. 384/2022, 396-97/2022, 13659/2022,**
17478/2022, 5220/2023, 2115/2024, 3448/2024, 29969/2024

PARUL SHARMA

..... Plaintiff

Through: Mr. Akash Srivastava, Adv. (M:
9470563956)

versus

AYUSH KAPUR

..... Defendant

Through: Mr. Kunal Kher, Adv. for Kotak
Securities. (M:9910072729)

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **21.05.2024**

1. This hearing has been done through hybrid mode.

I.A. 29969/2024 (for direction)

2. Issue notice to the Plaintiff.

3. As per this application, the allegation of the Defendant is that the Plaintiff - Ms. Parul Sharma, after institution of the suit, but before the first listing, has withdrawn more than Rs. 10,00,000/- from various accounts of the parents *i.e.*, assets of Late Sh. Madan Lal Kapoor and Late Smt. Rama Kapoor, the details of which are contained in paragraph 8 of this application. It is stated that some of the said assets have been bequeathed to the Defendant. In addition, it is submitted that the Plaintiff also has access to the lockers mentioned in paragraph 9 of this application.

4. Ld. Counsel for the Plaintiff disputes the same.

5. Let the reply be filed. In order to ensure that none of the belongings in the lockers are disturbed in any manner, the operations of these lockers shall remain stayed.



6. In addition, parties are permitted to approach the concerned bank and obtain the details/dates of the operation of these lockers and if so by whom.

The details of the locker are as under:

- i. Locker bearing No. 161 at State Bank of India at Naraina Vihar Branch which has the jewelry of Late Smt. Rama Kapoor,
- ii. Locker bearing No. 172 at State Bank of India at Naraina Vihar Branch held by Late Sh. Madan Lal Kapoor and Late Smt. Rama Kapoor,
- iii. Locker bearing No. C-4 in Punjab National Bank at Kirti Nagar Branch held by Late Sh. Madan Lal Kapoor and Late Smt. Rama Kapoor,
- iv. Locker bearing No. 169 at State Bank of India, Nangal Raya Delhi Cantt Branch held by Late Sh. Madan Lal Kapoor and Late Smt. Rama Kapoor.

7. Let the reply be filed within four weeks. Rejoinder, thereto, be filed within four weeks, thereafter.

CS(OS) 6/2022 & I.As. 384/2022, 396-97/2022, 13659/2022, 17478/2022, 5220/2023, 2115/2024, 3448/2024

8. On a query by the Court to the Id. Counsel appearing for M/s Kotak Securities Ltd., as to why the deposit in terms of order dated 27th February, 2024 has not been made, it is submitted by Id. Counsel -Mr. Kunal Kher that the demand draft was received from the client, however, due to a mistake in his own office, the same was not deposited.

9. Let the said demand draft be deposited within one week with the worthy Registrar General of this Court and kept in a FDR on an auto



renewal mode. If the deposit is not made, M/s Kotak Securities Ltd. would be liable to deposit Rs. 1,00,000/- as costs, in addition, with the worthy Registrar General.

10. Ld. Counsel for the Plaintiff seeks an adjournment.

11. List before the Joint Registrar for completion of pleading in all the applications on 8th August, 2024.

12. List before Court on 27th September, 2024.

PRATHIBA M. SINGH, J.

MAY 21, 2024

dj/bh