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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 51/2022 & I.As.1605/2022, 21074/2022**

CHITRA KHURANA & ANR.

..... Plaintiffs

Through: Ms. Nina R. Nariman and Ms. Geetika
Kapur, Advs. (M: 9810671377)
Mr. Sanjiv Kakra, Sr. Adv. as the Local
Commissioner in person. (M:
9810095666)

versus

VEERESH MALIK

..... Defendant

Through: Mr. Pulkit Deora and Ms. Vaishnavi
Varshney, Advs. (M: 9927950030)

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **16.04.2024**

1. This hearing has been done through hybrid mode.
2. The Id. Local Commissioner - Mr. Sanjiv Kakra is present in Court and has submitted his report today. Broadly, the Local Commissioner has reported as under:

- (i) That a sum of Rs.17,27,115.98 is lying in the Central Bank of India in two FDRs and two saving bank accounts.
- (ii) No amount is lying in the Canara Bank account of Late Lt. Col. (Retd.) L.N. Malik and Mrs. Leela Malik.
- (iii) Insofar as shares are concerned, the PAN card details of Mrs. Leela Malik has been received from the Central Bank of India. However, insofar as shares of Late Lt. Col. (Retd.) L.N. Malik is concerned, the Central Depository Services Ltd. ('CDSL') has stated that due to privacy constraints, the said details cannot be disclosed without specific directions. His PAN card details are



also not available to the LC from any other source.

- (iv) Insofar as the immovable property i.e. D-61, Defence Colony, New Delhi-110024 is concerned, the conveyance deed, which was attached with the letter dated 23rd June, 1997 of the L&DO, is not traceable and the mutation/ substitution is yet to be carried out. Hence, as per the LC, there are some impediments in the sale of the property until the title is crystalized in favour of the legal heirs.

3. After having perused the report of the Local Commissioner and heard the LC as also the parties, in order to proceed further in this matter, the following directions are issued:

- (i) Central Bank of India shall transfer to the worthy Registrar General of this Court the entire sum of Rs.17,27,115.98/- along with interest accrued thereon, lying with it in respect of the following FDRs and saving bank accounts.

S. No.	NAME OF THE HOLDER	FDR/SAVING BANK ACCOUNT	CURRENT VALUE
1.	Late Mrs. Leela Malik	FDR No.3438249517 dated 24th February, 2015 for Rs.4,50,000/-	Rs.7,69,251/-
2.	Late Mrs. Leela Malik	FDR No.33438253409 dated 24th February, 2015 for Rs.4,50,000/-	Rs.7,69,251/-
3.	Late Mrs. Leela Malik	SB Account No.1001022119 (Inoperative)	Rs.1,71,175.70/-
4.	Late Lt.Col. L.L. Malik	SB Account No.1001074677 (Inoperative)	Rs.17,438.28/-
TOTAL			Rs.17,27,115.98



- (ii) The same shall be given effect to within two weeks. Upon the receipt of the said amount, the Registry shall maintain the amounts in an interest bearing FDR on auto-renewal mode.
- (iii) Insofar as the shares are concerned, the authorities including National Securities Depository Ltd, BSE Ltd., Central Depository Services Ltd., Securities and Exchange Board of India, National Stock Exchange, are directed to disclose the following details of both Late Lt. Col. (Retd.) L.N. Malik and Mrs. Leela Malik namely PAN details, details of any accounts or passwords, details of shareholdings or any other account details available with them of Late Lt. Col. (Retd.) L.N. Malik, to the Id. Local Commissioner - Mr. Sanjiv Kakra (M:9810295666), upon receipt of his letter to this effect. The said authorities shall make necessary disclosure within ten working days upon receipt of the letter from the Local Commissioner.
- (iv) Insofar as the L&DO is concerned, let the official of the L&DO give/ allow inspection of the entire file in respect of D-61, Defence Colony, New Delhi-110024 to the Local Commissioner Mr. Sanjiv Kakra. Upon perusing the said file, if any further directions are to be passed, the Local Commissioner may approach this Court. Let a copy of this order be served upon L&DO through Mr. Anurag Ahluwalia, Id. CGSC.
- (v) In terms of the preliminary decree passed on 19th October, 2023, the L&DO shall also carry out mutation/substitution in favour of the Plaintiffs and Defendant namely Mrs. Chitra Khurana, Mrs.



Meera Bhalotra Reynolds and Mr. Veeresh Malik on the basis of the letter dated 8th April, 2024 written by the Local Commissioner.

4. Copy of the said letter dated 8th April, 2024 along with today's order be served upon Mr. Anurag Ahluwalia, Id. CGSC by the Local Commissioner.
5. List on 16th May, 2024.

PRATHIBA M. SINGH, J.

APRIL 16, 2024/dk/bh