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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ EX.P. 88/2023, EX.APPL.(OS) 1650/2025
SH NARENDER NATH SETH AND ORSDecree Holders

Through: Mr. S.C Singhal and Mr. Parth
Mahajan, Advocates

versus

MRS LATA SETH AND ORSJudgement Debtors
Through: Mr. Wasim Ashraf, Advocate for JD
Nos. 6(a) to 6(d)
Mr. Tarang Gupta, Adv (Local
Commission)

CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER
10.07.2026

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1. The case is listed on office note dated 07.07.2026 stating that the
Local Commissioner has sought the following directions:

“a. Approve the proposed public notice for conducting the auction of the Residential Property being Document No. 8, proposed Terms and Conditions of auction being Document No. 9, and the proposed terms of proclamation being Document No. 10;

b. Issue directions to the Learned Registrar General of this Hon'ble Court to permit the interested buyers to inspect original title deeds of the residential property bearing no. 33/5, East Punjabi Bagh, New Delhi-110026, deposited before this Hon'ble Court, on request of the undersigned;

c. Issue directions to the Learned Registrar General of



this Hon'ble Court to allow publication of the auction notice on the (i) website of this Hon'ble Court and of the District Courts under the head of 'Public Notice'; also (ii) on the Notice Boards of this Hon'ble Court and all the District Courts in Delhi; and (iii) at a conspicuous place in the residential property bearing no. 33/5, East Punjabi Bagh, New Delhi-110026;

d. Issue directions to the Learned Registrar General of this Hon'ble Court to refund the Earnest Money Deposit of an unsuccessful bidder within a period of one (1) week from the date of auction i.e. 01.09.2026.

e. Issue direction to the parties to bear the expenses of publication and auction in accordance with their respective shares.

f. In case any of the Parties refuse to cooperate and do not come forward to execute the sale deed in favour of the successful bidder, this Hon'ble Court may nominate a person to execute the title documents on behalf of such refusing party/parties in favour of the successful bidder.

g. The auction is being conducted on an 'as is where is basis'. This Hon'ble Court may consider directing the parties to handover vacant and peaceful possession of the residential property bearing no. 33/5, East Punjabi Bagh, New Delhi-110026 to the successful bidder. This Hon'ble Court may clarify whether the Local Commissioner is under an obligation to handover peaceful and vacant possession of the Subject Property to the successful bidder. In case, the Local Commissioner is under an obligation to handover peaceful and vacant possession of the Subject Property, then bailiff be appointed with power to break open the locks, if any, to aid the process of vacation the Subject Properties with the help of the concerned



police station. A direction may also be issued to the Station House Officer (SHO) of Police Station Punjabi Bagh to provide police assistance to the bailiff and the Local Commissioner to get the Subject Property vacated.

h. Pass such other or further order(s) as it may deem fit in the interest of justice.”

2. Learned Counsels appearing for the parties state that the directions, as sought by the learned Local Commissioner, be granted.
3. Accordingly, the directions sought by the learned Local Commissioner are granted.
4. The Court accepts the sale proclamation notice as filed by the learned Local Commissioner and directs the learned Local Commissioner to proceed with the sale in accordance with law.
5. The date already fixed in the matter, i.e. 03.08.2026, stands cancelled.
6. List on 04.11.2026.

SUBRAMONIUM PRASAD, J

JULY 10, 2026

Rahul