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

+ **CONT.CAS(C) 1415/2022**

COURT ON ITS OWN MOTION

..... Petitioner

Through: Mr. Rajeev K. Virmani, Senior
Advocate, Amicus Curiae with Ms. Deveshi
Madan, Advs.

Versus

MR. AMAR SINGH BHALLA

..... Respondent

Through: None.

+ **W.P.(C) 8633/2019**

BALA

..... Petitioner

Through: Mr. Shesh Datt Sharma, Adv.
Mr. Rajeev K. Virmani, Senior
Advocate, Amicus Curiae with Ms. Deveshi
Madan, Advs.

Versus

STATE (GOVT. OF N.C.T.) DELHI & ORS

..... Respondent

Through: Mr. Jawahar Raja, ASC with SI
Mahipal Singh, P.S. Sangam Vihar, Delhi.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

02.02.2023

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1. On the last date, taking into account that the respondent no.1/Mr. Amar Singh Bhalla appeared to be deliberately avoiding to appear before this Court, Non-Bailable Warrants (NBWs) were issued against him with a direction to the SHO, Sangam Vihar, Delhi to



execute the same.

2. Today, Mr. Jawahar Raja, learned Additional Standing Counsel for Govt. of NCT of Delhi submits that the NBW against Mr. Amar Singh Bhalla could not be executed as despite repeated visits to his residence by police personnel, he was not found as it was reported by his wife and son that he is no longer residing with them. He however submits that the mobile earlier being used by him, was found to be in the possession of his wife.
3. Even though the information given by the respondent's wife and son that they are not in touch with him seems to be incorrect, Mr. Virmani, learned Amicus Curiae, submits that since the respondent no. 1 is not traceable, the respondent no. 3 be directed to issue a recovery certificate and forward the same to the Collector, Agra for being executed by attachment of his property at Agra, details whereof, have been furnished by the respondent no. 1 himself in his affidavit of assets filed before this Court.
4. Taking into account that the amount payable under the Award still remains unpaid as also the fact that the respondent no. 1 had himself given the details of his property at Agra, the respondent no. 3 is directed to issue within 10 days, a recovery certificate as per Section 5 of the Recovery Revenue Act, 1890 and forward the same to the Collector, Agra with a direction to the Collector, Agra to take steps to execute the same by attachment and sale of the respondent's 1/3rd share in property being agricultural land in Kh. nos. as Khatauni No. 00283, Khasra Nos. 918/46, 918/1 min, 918/45 and 922/80 (total area = 2.1900 hectare) situated in village Sonikhera, Pargana & Tehsil –



Khera Garg, Agra, U.P. The Collector, Agra will send a report in this regard to this Court within a period of eight weeks.

5. In the meanwhile, it will also be open for the petitioner to contact the respondent's Bank, i.e., Oriental Bank of Commerce, Batra Hospital, Sangam Vihar Branch to obtain information about the amount, if any, lying in his bank account bearing no. 06292041007894. In case the petitioner contacts the Branch Manager for information in this regard, necessary cooperation will be extended to her.
6. Fresh NBWs be also issued against the respondent no.1 and with a direction to the SHO, Sangam Vihar to execute the same before the next date.
7. List on 05.04.2023.
8. A copy of this order be forwarded to the Collector Agra and also be given to the petitioner under the signatures of the Court Master.

REKHA PALLI, J

FEBRUARY 2, 2023

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