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

+ **EX.P. 23/2018**

MEENU MALHOTRA & ANR

..... Decree Holders

Through: Mr. P.V. Kapur, Sr. Adv. with
Ms.Kaveri Gupta, Mr.Sidhant Kapur,
Mr. V. K. Nagrath and Mr.Jitender
Panchal, Adv. for DH -1 & 2.

versus

NEELAM SEHGAL

..... Judgement Debtor

Through: Mr. Rajender Agarwal, Adv.
Mr. Harish Kr. Sharma, Court
Auctioneer.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **30.05.2019**

**EX.APPL.(OS) 268/2019-Application on behalf of Court Auctioneer
seeking extension of time to carry out the auction)**

1. Learned counsel for the Court Auctioneer states that time period to carry out the auction is to expire on 10th June, 2019 and requests for further extension to carry out the auction process.
2. In view of the averments made in the application, the request is allowed. The time period to auction the property is extended by further period of eight weeks from 10th June, 2019.
3. Mr. Kapur learned senior counsel submits that the matter is not proceeding further and has drawn my attention to para-6 of the application wherein it is stated that on 24th May 2019, the Decree Holders have handed

over the certified copy of the title deed of shop No.50, G.B.Road, Delhi and original title deeds of the Property bearing No.609, 6th Floor, Vatika Mindscape, Mathura Road, Faridabad on 24th May, 2019 to the learned Court Auctioneer. It is stated that there is a discrepancy in the title documents in respect of the 3rd property, and it would possibly take time to resolve the issue and make available the title documents in respect thereof. The auction process should not be held up. Since the title documents qua the above noted properties are in place, the Court Auctioneer shall now proceed to auction the aforesaid two properties.

4. Mr. Agarwal, learned counsel for the Judgment Debtor strongly opposes the aforesaid direction on the ground that in case auction is done in piecemeal, additional expenses would have to be incurred and his client is not in a position to incur the same. The question regarding the burden of expenses for the auction of the third property would be examined at a later stage when such directions are required to be issued by the Court. At this stage, the Court Auctioneer shall proceed with the auction with respect to other two properties noted above.

5. Application stands disposed of in above terms.

SANJEEV NARULA, J

MAY 30, 2019

Pallavi