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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ EX.P. 29/2018, EA No.122/2018(u/O.XXI R.41 CPC)
CANBANK FINANCIAL SERVICES LTD. Decree Holder
Through: Mr. Aayush Agarwala, Adv. with
Mr Uday Shanbhag, Sr.Manager of
Canara Bank.

versus

GITANJALI MOTORS LTD. & ORS Judgement Debtors
Through: Mr. Gurkamal Hora Arora with
Mr. Vaijayant Khanna, Adv. along
with JD No.5 Col.K.S.Malik & his
wife Ms. Harinder Kaur in person.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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13.02.2020

1. In pursuance to the order dated 30th January, 2020, Mr. Uday Shanbhag, Senior Manager of Canara Bank, Bangalore is present in Court and states that the decree holder is a loss making wholly owned subsidiary of Canara Bank and has no office at Delhi and has thus not been able to make any enquiries about the affairs of the judgment debtors to find out the mode in which the money due can be recovered, except for enquiring from various branches of Canara Bank, of the accounts if any of the judgment debtors and no accounts have been found. He states that normally the bank engages a professional agency to find out the assets of the judgment debtors and the same procedure will be followed in this as well.

2. In pursuance to the directions, the judgment debtor no.5 and his wife are also present.

3. The counsel for the decree holder states that the judgment debtor

No.5, in his affidavit dated 14th October, 2019 has not disclosed the accounts in his name, the life insurance policies held by him, the stocks held by him or given other particulars as prescribed in Form 16A to Appendix E of the CPC.

4. The judgment debtor no. 5 to file affidavit in terms of above within four weeks.

5. The judgment debtor no.5 and his wife are exempted from personal appearance on each and every further date, till further orders

6. The counsel for the decree holder states that judgment debtor no.6 has been served through counsel also in appeal preferred by him against the decree under execution and though was intimated of the date in this execution in order dated 9th January, 2020 in RFA(OS) 76/2018 but has not been appearing.

7. Issuance of warrants of arrest against judgment debtor no.6 Pramod Gulati is sought.

8. Issue warrants of arrest in the sum of Rs.25 lakhs, for production of Pramod Gulati son of Shri K.L.Gulati, Resident of 304, Tower 3, Malibu Town, Sohna Road, Gurugram (Haryana) in this court on the next date of hearing.

9. The warrants be given dasti to the counsel for the decree holder, for execution through the Police Authorities at Gurugram (Haryana).

10. List on 8th May, 2020.

RAJIV SAHAI ENDLAW, J

FEBRUARY 13, 2020

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