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

+ O.M.P.(EFA)(COMM.) 6/2016, Ex. APPL. (OS) 185/2024

Ex. APP. 747/2024,

DAIICHI SANKYO COMPANY, LIMITEDDecree Holder

Through: Mr. Giriraj Subramaniam, Ms. Samridhi
Hota, Advs.

versus

MALVINDER MOHAN SINGH AND ORS.Judgement Debtor

Through: Mr. Aditya Diwan, Mr. Parth Tiwari, Advs.
For JD No. 6 to 8 (Through VC)
Ms. Devina Sehgal, Adv. for JD -16 & 17
Mr. Chitranshul Asinha, Adv.
Mr. Atul Kumar, Adv.
Mr. Manish Kaushik, for applicant Mr. D.N.
Sood in I.A. 2902/2022
Mr. Shiva Sambyal for applicant Radha
Soami Satsang, Beas
Mr. Debarshi Dutta, Mr. Arjun Mookerjee
for applicant in EA(OS)747/2024
Adv. Aakash Kumar Proxy for Sanghya
Chawla appearing for Aditya Birla Finance
(Through VC)
Ms. Sandhya Chawla Adv. for ABFL
(Through VC)
Mr. Gaurav Vutts Adv. for applicants in
I.A. 185/2024 (Through VC)

CORAM:

JOINT REGISTRAR (JUDICIAL) MS. TYAGITA SINGH, (DHJS)

ORDER

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03.07.2024

Matter is taken up through physical hearing as well as video conferencing.

The present case has been transferred from the Court of Ld. Joint Registrar (Judicial) Ms. Priya Mahendra vide Order dated 28.06.2024 issued by Ld. Registrar (Original & JJ Sectt.)



Ex. APPL. (OS) 185/2024 (Application u/O I Rule 10 CPC filed by applicant One Qube Realtors Pvt. Ltd. for impleadment)

Ld. Counsel for applicant has appeared online and stated that he wants to withdraw the present application and does not want to be impleaded in the present case any more.

Ld. Counsel for DH has stated that he has no objection if the application is withdrawn. Keeping in view the above stated facts and circumstances, the abovesaid application stands dismissed as withdrawn.
I.A. stands disposed off.

Ex. APP. 747/2024 (Application u/O I Rule 10 CPC filed by Axis Trustee Services Ltd.)

Ld. Counsel for DH has stated that on the last date of hearing after hearing initial arguments, Ld. Predecessor was of the view that the application has not been filed under appropriate provisions and the applicant may file the application under appropriate provisions for raising objection to the attachment and sale of suit property i.e. Plot no.20, Urban Estate, Sector-8, Gurgaon, Haryana.

Ld. Counsel for applicant has requested for some more time for seeking instructions in this regard. Be re-notify on next date of hearing.

O.M.P.(EFA)(COMM.) 6/2016

Ld. Counsel for Court Commissioner has appeared and stated that the auction of the suit property i.e. agricultural land no. Khasra No. 1580 min. (5-16) situated at Village - Asola, Tehsil : Saket, New Delhi has been



completed in compliance of Order dated 21.05.2024 and 21.03.2024 and the 25% of the amount i.e. Rs. 3,04,25,750/- has been given by the auction purchaser, Radha Soami Satsang Beas vide DD No. 004196 dated 20.06.2024 drawn on HDFC Bank but there is a slight clerical error in the name of the Hon'ble High Court and it may be returned to the Auction Purchaser for correction of the clerical error.

The original DD has been returned to the Ld. Counsel for the Auction Purchaser today in the Court for re-issuance of the DD of the same amount after removing the clerical error.

Ld. Counsel for Auction Purchaser has requested for apprising the Auction Purchaser that in whose name the TDS of 1% of the purchase amount is required to be deposited. On the other hand, Ld. Counsel for Court Commissioner has stated that 100% amount of the Auction Purchase has to be deposited by the Auction Purchaser in the name of Ld. Registrar General, Hon'ble High Court as per rules, and at the time of release of the money to DH, one percent TDS may be deposited by the DH to the appropriate authority.

Keeping in view the abovestated facts and circumstances, the Auction Purchaser is directed to deposit the entire remaining amount of Auction Purchase in the name of Ld. Registrar General, Delhi High Court as per procedure of proclamation, within the time prescribed i.e. within 15 days from date of auction purchase of the abovesaid suit property. The entire amount including the earnest money and remaining amount of auction purchase be deposited with Ld. Registrar General by the Auction Purchaser by 07.07.2024.



Ld. Counsel for Court Commissioner has stated that Ld. Court Commissioner has complied all the conditions mentioned in the Order of Hon'ble Court dated 21.03.2024 and the report has been e-filed with the Registry. He is directed to file the original report also physically with the Registry within one week.

At request, matter be placed before Hon'ble Court on the date already fixed i.e. 08.07.2024.

**TYAGITA SINGH, (DHJS),
JOINT REGISTRAR (JUDICIAL)**

JULY 3, 2024/sm