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

+ **CS(OS) 3083/2014**

SHAKTI NATH

..... Plaintiff

Through: **Mr. Nitish K. Sharma, Advocate.**

versus

SHASHI MOHAN CHATURVEDI AND ORS Defendants

Through: **Mr. Sunil Fernandes with Mr. Karan Nagrath, Ms. Udit Khattar and Mr. Vipul Sanghi, Advocates.**

D-1 and D-3 in person.

Dr. Shubham Sogani, son of the intending buyer.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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02.06.2022

I.A. 9241/2022 (for directions)

1. The present application has been filed on behalf of the defendants seeking permission of the Court to sell property bearing No.103, Friends Colony (East), New Delhi-11065 to Dr. Shanti Kumar Sogani and Mrs. Priyanka Sogani in terms of the order dated 18th December, 2014 and Memorandum of Understanding (MoU) dated 24th May, 2022.
2. Earlier, vide order dated 26th July, 2021, this Court had permitted the defendants to sell the aforesaid property. However, the sale could not go through.
3. The plaintiff has found new intending buyers, namely Dr. Shanti Kumar Sogani and Mrs. Priyanka Sogani, who have agreed to purchase the



property for consideration of Rs.35,00,00,000/- in terms of the MoU dated 24th May, 2022.

4. Defendants no.1 and 3 along with Dr. Shubham Sogani, son of the intending buyer, are present in person.

5. Counsel for the plaintiff does not oppose the said application but submits that permission may be given to the defendants without prejudice to the rights and contentions of the plaintiff and subject to the defendants depositing in Court a sum of Rs.9,00,00,000/-.

6. Counsel for the defendants is agreeable for the same.

7. Accordingly, the present application is allowed, subject to the defendants depositing in Court a sum of Rs. 9,00,00,000/- prior to the execution of the sale deed in favour of the purchasers/parting with possession of the suit property.

8. Registry is directed to keep the sum of Rs. 9,00,00,000/- in an interest bearing FDR. The amounts so kept with the Registry and interest accrued thereon shall be subject to further directions in this Court.

AMIT BANSAL, J.

JUNE 2, 2022
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