



2024-07-07 13:35

\$~9

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ EX.P. 56/2017 & EX.APPL.(OS) 27/2018, EX.APPL.(OS)
167/2019, EX.APPL.(OS) 168/2019, EX.APPL.(OS) 225/2019,
EX.APPL.(OS) 265/2019, EX.APPL.(OS) 943/2020,
EX.APPL.(OS) 3707/2022, EX.APPL.(OS) 810/2024
SH. DEEPAK ARORA & ORSDecree Holders

Through: Mrs.Kajal Chandra, Ms.Pruna
Chopra and Mr.Abhishek
Chabra, Advs.

versus

SMT. KAVITA ARORA & ORSJudgement Debtors
Through: Mr.Nitya Sharma, Adv. for JD
nos.1 to 5.
Ms.Vandana Khurana, Adv. for
JD nos.6 to 14.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

%

16.08.2024

1. This Court, by its Order dated 20.05.2024, as far as Judgment Debtor nos.1 to 5 are concerned, passed the following directions:

“10. The Judgment Debtor Nos. 1 to 5 are hereby directed to vacate the Property No. F-55 and F-56, Kohlapur Road, Kamla Nagar, Delhi-110007 within three months, failing which, the warrants of possession may be issued by this Court for the possession, to be handed over to the Local Commissioner.

10. The Judgment Debtor Nos. 1 to 5 are also directed to disclose on affidavit the earnings from the said property from the passing of Decree dated 20.12.2016 till date within one month.”

2. As the three-month period would expire on 20.08.2024, list on 21st August, 2024.

3. The Judgment Debtor No. 1 to 5 shall also file the affidavit



disclosing the earnings from the said property from the passing of the Decree dated 20.12.2016 till date, on or before the next date of hearing.

4. This Court had also issued notice to be issued to the General Manager, Union Bank of India, Nehru Place Branch, New Delhi, as it had come on record, through the report of the learned Local Commissioner, that a certain credit facility had been extended in favour of the Judgment Debtor no.1, Judgment Debtor no.2, and Mrs.Ruchi Arora, based on the security of the property in question, which was claimed to be in the name of the Judgment Debtor no.1, though it is not.

5. The office report indicates that earlier a notice was sent, which was returned back with the remark that the address given was incorrect, thereafter, the notice has been sent again to the Bank at its Nehru Place Branch.

6. To bring clarity on the issue for the Bank, the notice should be addressed to Union Bank of India, Nehru Place Branch, 73-74, Sheetla House, Nehru Place, New Delhi-110019, and be handed over *dasti* to the learned counsel for the Decree Holder to serve the same on the Bank. Along with the notice, the recall notice of the bank dated 30.12.2023 appearing as Annexure-A to the report of the learned Local Commissioner dated 08.05.2024, shall also be annexed. A copy of this order shall also be annexed to the Notice.

7. The Bank shall, on receipt of the notice, file all the property documents that were submitted by the Judgment Debtor nos.1 to 5 with the Bank. The outstanding amount against the said facility or any



other facility taken by the Judgment Debtor nos.1 to 5 against the above said property, if any, shall also be disclosed by the Bank.

8. *Dasti.*

NAVIN CHAWLA, J

AUGUST 16, 2024/ns/AS

Click here to check corrigendum, if any