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

+ **EX.P. 67/2017**

SMT. SUDHA RANI & ANR

..... Decree Holders

Through: Mr. R.P. Luthra and Mr. Ravi
Sharma, Advocates.

versus

M/S VASAN HEALTH CARE PVT LTD

..... Judgement Debtor

Through: None

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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27.02.2024

EX.APPL.(OS) 329/2023 (under Order XXI Rule 64 CPC for the auction sale of the items which were taken into custody by the Local Commissioner vide Order dated 20.07.2017)

1. The application under Order XXI Rule 64 read with Section 151 CPC has been filed on behalf of the decree holder seeking sale of the goods, which had been attached at the time of taking of the possession of the suit premises. It is submitted that the decree holder is incurring an expense of Rs.40,000/-, in retaining the goods.
2. A prayer is made that the goods be permitted to be sold.
3. **Submissions heard.**
4. The list of goods as mentioned in the application, was seized by the Local Commissioner, when he took possession of the tenanted premises, pursuant to the execution of eviction Order dated 20.07.2017. The Judgment



Debtor has not come to claim the same. It is, therefore, directed that the articles may be auctioned through the District Nazir, Tis Hazari Courts, Delhi, in accordance with law.

5. The fees of the District Nazir is fixed at Rs.25,000/-, to be paid by the Decree Holder. The goods shall be delivered to the District Nazir within 30 days who shall conduct the auction within one month thereafter. The Decree Holder to co-operate with the District Nazir and produce the goods before him for execution of the sale.

6. The report of the District Nazir along with the money so realized be deposited in this Court, within two months.

7. The application is accordingly disposed of.

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8. Be listed on 23.04.2024.

NEENA BANSAL KRISHNA, J

FEBRUARY 27, 2024/RS

(corrected and released on 11.03.2024)