$~3 (Special Branch)

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

\+ **RFA 810/2016 & CM APPL. 38283/2016**

VIJAY KUMARI ..... Appellant

Through: Mr. G. D. Gupta and Mr. Shoeb Shakel, Advocates. (M:9212733418)

versus

RAKESH SHARMA ..... Respondent

Through: Mr. Urfee Haider, Advocate with Respondent in person. (M:9810078786)

CORAM:
JUSTICE PRATHIBA M. SINGH

O R D E R

% 20.07.2018

The Respondent has not complied with the last order by which the court had directed filing of agreements, bank account statements and original receipts. Learned counsel for the Respondent submits that he was supposed to file an application for enlarging the time, which is not on record. He has handed over a copy of the two receipts purportedly issued to the Appellant for Rs.2 Lakhs each. On a query from the Court as to the originals of these receipts, he states that the same were handed over to the purchaser Mr. Jain, whose name he is not aware. Issue notice to the Standing Counsel for DDA to submit a report as to in whose name the property bearing No.A-1/252, LIG Flats, Lawrence Road, New Delhi stands in their records.

In order to secure the interest of the Appellant, it is directed that the property bearing no.A-1/21A, Kiran Garden, Uttam Nagar, Delhi-110059, which belongs to the Respondent's wife shall not be sold and no third party

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interest shall be created in respect of the said property till the next date of hearing.

As per the report of the Local Commissioner, one Mr. Gaurav Malhan is in possession of the suit property. Issue notice to Mr. Gaurav Malhan, son of Mr. Davinder Nath Malhan (Ph:9873929922), A-1/252, LIG Flats, Lawrence Road, New Delhi, for appearance on the next date along with the documents, if any, on the basis of which he came into possession of the suit property. The notice shall be served through the local SHO in Lawrence Road and intimation shall also be given by way of SMS on Mr. Malhan's mobile number.

List on 20th September, 2018.

PRATHIBA M. SINGH, J.

JULY 20, 2018/*dk*

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