

11. Vimal Kumar and Ors. vs M/s Sana Realtors Pvt. Ltd. E/1952/2024

Present: Mr Shayon Chakrabarti Adv for DH.

Mr Gaurav Raghav Adv for JD.


This is a petition seeking execution of order passed by the authority dated 15.09.2023. Contending that decretal amount has not been paid, learned counsel for DH requests for direction to JD to disclose its assets/properties which can be attached to realize decretal amount.

On the other hand, it is contended by learned counsel for JD that nothing remains for his client to be paid, rather it is for DH to pay the amount of outstanding dues.

It is contended by learned counsel for DH that calculation of decretal amount as done by JD is wrong. Possession of subject unit has not been handed over till now, while JD has levied maintenance charges. As per learned counsel for JD, his client offered possession of subject unit by sending a letter to the allottee-DH. While, as per learned counsel for latter no such letter was received by his client. Moreover, appeal is pending before the Appellate Tribunal regarding outstanding dues. Learned counsel for JD could not explain as how such amount is outstanding against DH. Objections filed by JD have no merits. Same are dismissed.

JD is directed to disclose its assets/properties including bank account and unsold inventories which can be attached to realize the decretal amount. Information in this regard be given till next date in the form of affidavit to be sworn by anyone from directors of JD, preferably by Managing Director. At the same time, Recovery Officer (Recovery Cell) of Authority be asked to enquire about the properties of JD and to file his report till next date.

To come on 30.01.2025 for further proceedings.


(Rajender Kumar)
Adjudicating Officer,
14.10.2024