

PROCEEDINGS OF THE DAY

Day and Date	Complaint No.	Complainant	Represented through	Respondent	Respondent Represented through	Last date of hearing	Proceeding Recorded by
Thursday and 30.05.2024	E/1982/2022 Case titled Babita Tiwari VS Emaar India Ltd.	Babita Tiwari	Mr Manish Yadav Adv	Emaar India Ltd.	Mr Ishaan Dang Adv		Om Prakash

Proceedings

Report of account officer has been received. According to him, after releasing some amount in favour of allottee decree holder, a sum of Rs. 2046749.05 is still lying with the authority. Learned counsel for decree holder requested to release the said amount in favour of his clients. Apart from said report, account officer was asked to calculate the decretal amount, Report has been received in this regard also. According to account officer, a sum of Rs. 1887494/- was payable to the decree holder as on 13.06.2023. Learned counsel for decree holder filed fresh calculation. According to learned counsel for decree holder, a sum of Rs. 20,86,895/- is payable by J.D. to his clients till today. Learned counsel for J.D. again objected the calculation as done by account officer. According to him, the amount mentioned in the report of C.A. dated 13.10.2023 at Sr. Number 5678 were the amounts created

in the account of decree holder-allottee. Learned counsel relied upon statement of account prepared by his clients i.e. JD.

Learned counsel for decree holder claims that even if such amounts are mentioned having been credited in the account of his client but no actual credit was given. Apart from said statement of account there is no other evidence that any such amount was actually paid or credited to the allottee, I find to weight in this objection of JD.

Let amount of Rs. 20,46,749.05 be released in favour of decree holder. A copy of this order be sent to account officer for compliance. Another copy be provided to the decree holder dasti. Decree is stated to have been satisfied.

File be consigned to the record-room.

(Rajender Kumar)
Adjudicating Officer
30.05.2024