

54. Group Captain Prabhakara Kankanady Vs ATS Real Estate Builders Pvt.
Ltd. Ex/4313/2023

Present: Mr Ravi Adv for DH

Ms Shivani Dang Adv for JD

Vakalatnama filed on behalf of JD. Recovery certificate was issued in this case to the collector concerned on 02.05.2024. In view of order/circular issued by Chief Secretary Government of Haryana, no. 50/15/20240-5S (1) dated 11th May 2024, powers of the Collector have been conferred upon the Adjudicating Officer and all the recovery certificates have been received back.

As per learned counsel for DH, no amount has been recovered till now. He requests to resume execution proceedings. Considering aforesaid fact, request is allowed. Execution proceedings are resumed.

At the same time, Learned counsel for DH requests to attach bank account of JD an application along with an affidavit is filed in this regard. After going through the same, it is admitted by learned counsel for JD also that account mentioned at Sr. No. 2, is not an escrow account. Considering all this, request of DH is allowed. Let bank account of JD No. 00880350000873, with HDFC Bank Ltd., Ansals Arcade, Sector 18, Noida. According to him, this is not an escrow accounts. Request is allowed.

Let Afore-said bank account of the JD ^{is} be attached to the extent of decretal amount. Let Manager of said bank be directed not to allow withdrawal of any amount from aforesaid account of JD leaving balance less

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than decretal amount. Report of Bank Manager be called for next date about balance in this account.

To come on 21.02.2025 for further proceedings.



(RajenderKumar)
Adjudicating Officer,
11.10.2024