

PROCEEDINGS OF THE DAY

Day and Date	Wednesday and 01.02.2023
Complaint No.	E/4535/2022/633/2021 Case titled Partik Shrivastava and Namita Mehta Vs Vatika Limited
Complainant	Partik Shrivastava and Namita Mehta
Represented through	Mr Sukhbir Yadav Adv
Respondent	Vatika Limited
Respondent Represented through	Mr Dhruv Dutt Gupta Adv
Last date of hearing	
Proceeding Recorded by	Jyoti Malik

Proceedings

It is submitted by learned counsel for JD that appeal filed by his client against an order passed by this forum directing the bank managers HDFC bank to release the amount in favour of DH has been stayed by the Appellate Tribunal. Said case is fixed for 18.04.2023, before the Tribunal.

At the same time, learned counsel requests to send recovery certificate stating that in view of order passed by the Hon'ble High Court of Punjab & Haryana, Chandigarh, in case titled as M/s International Land Developers Pvt. Ltd. Vs. Aditi Chauhan and others CWP No. 7738 of 2022, and M/s International Land Developers Pvt. Ltd. Vs. Nitin Mathur and others CWP 7750 of 2022 for recovery of amount, in execution recovery certificate is required to be issued to the collector concerned.

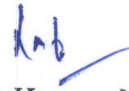
On the other hand, learned counsel for DH insists for direction to the bank managers not to allow withdrawal of any amount of that account till that appeal is decided by the Appellate Tribunal.



Even as per learned counsel for JD, the Appellate Tribunal has directed that the amount be not disbursed in favour of DH. There is nothing that JD will be free to withdraw any amount.

Considering all this, requests of learned counsel for DH is allowed to the extent that manager of said bank be directed not to allow withdrawal of any amount, even by the JD leaving balance less than decretal amount of Rs. 34,20,337/-. Let a copy of this order be sent to manager of said bank for compliance.

To come on 28.04.2023 for further proceedings.


(Rajender Kumar)
Adjudicating Officer
01.02.2023