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

+ **CS(OS) 2558/1997**

SMT. KISHAN DEVI AND ORS. Plaintiffs

Through: Mr. Naresh Thanai, Advocate.

versus

SUNIL MEHLAWAT AND ORS. Defendants

Through: Mr. Nikhil Singhvi, Advocate for D-1
to 3 in I.A. No. 7255/2018.

Mr. Gurmehar S. Sistani, Court
Receiver in person.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **23.05.2018**

I.A. No. 7255/2018 (under Section 151 CPC, for appointment of Commissioner for valuation of property, filed by defendant nos. 1 to 3)

1. Since report has already been submitted by the Tehsildar with respect to valuation of property no. 134, Sanik Vihar, Pitam Pura, Delhi, this application is infructuous and disposed of as such.

I.A. No. 7257/2018 (for release of amount, filed by defendant no. 3)

2. This application is allowed as it is not opposed but the amount which will be paid to the security company, namely ASAP Security

Services Private Limited would be an amount of Rs.5,71,120 i.e. the banking instrument be made by the Registry of this Court will be in the name of ASAP Security Services Private Limited for a sum of Rs.5,71,120/- and this banking instrument be handed over to the Receiver for being given to ASAP Security Services Private Limited.

3. Since defendant no. 3 has paid an amount of Rs.5,36,730/- to the aforesaid security agency, the Registry will prepare a banking instrument for Rs.5,36,730/- in the name of defendant no. 3 and the same be handed over to the defendant no. 3 or the counsel for defendant no. 3.

4. It is clarified that the aforesaid amounts which have to be paid to the security agency and defendant no. 3 will be paid out of the amounts which are lying deposited in the present suit.

I.A. stands disposed of.

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5. Receiver was appointed vide order dated 3.5.2011. He has been paid only a sum of Rs.50,000/- till date. Receiver has continuously supervised the position and status of the property at A-52, Vasant Marg, Vasant Vihar, New Delhi-110057 including regular

visits to the property many times in a year.

6. Accordingly, for the present, an additional fees of Rs. Rs.1,00,000/- be paid to the Receiver by the Registry of this Court out of the amounts which are lying of the parties in the present suit. With respect to any further amounts payable to the Receiver the same will be decided at the stage of final orders to be passed.

7. In case parties agree then Receiver will appoint new security agency which the parties will jointly agree upon.

VALMIKI J. MEHTA, J

MAY 23, 2018

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