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

+ W.P.(C) 6208/2016

ANITA GUPTA

..... Petitioner

Through Ms. Rachita Garg, Advocate for Mr.
Sachin Mittal, Advocate.

versus

THE DELHI STATE CO-OPERATIVE BANK LTD. & ANR.

..... Respondent

Through Ms. Jyoti Taneja, Advocate for
GNCTD.

Mr. S.K. Kaushik, Advocate for R-1.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

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07.11.2016

Mr. S.K. Kaushik, Advocate, who appears for the Delhi State Cooperative Bank Ltd., on instructions, states that for the time being they would not proceed and make recoveries from the petitioner, wife of the judgment debtor Pradeep Kumar Gupta.

Mr. S.K. Kaushik, Advocate further states that in case, they come across any evidence or material to show that Anita Gupta has acquired or obtained any moveable or immovable property on the basis of the assets or money from Pradeep Kumar Gupta, they would file an appropriate

application before the executing authority.

The statement made by the counsel for the respondent No.1 bank is taken on record. The respondent No.1 bank would be bound by the said statement.

In view of the statement made, the writ petition is disposed of.

We clarify that in case the respondent No.1 bank makes any claim against Anita Gupta on the ground stated above, it will be open to Anita Gupta to contest the said claim in law as well as on facts. We also clarify that we have not expressed any opinion on any other aspect in view of the statement made. Respondent No.1 bank is entitled to proceed in accordance with law for recovery of the dues against Pradeep Kumar Gupta and the guarantors.

SANJIV KHANNA, J.

SUNITA GUPTA, J.

NOVEMBER 07, 2016
NA