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

+ **W.P.(C) 3859/2019**

SUNITA

..... Petitioner

Through Mr J.P. Singh, Advocate.

versus

THE STATE OF NCT OF DELHI
AND ORS.

..... Respondents

Through Mr Anuj Aggarwal, ASC, GNCTD with
Mr G.C. Shyamsunder, Advocate for R1,2 and R3.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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25.04.2019

CM APPL. 17559/2019

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

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3. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to de-seal the property bearing No. B-1/178, B-Block Aman Vihar, Kirari Suleman Nagar, North West Delhi-110086 admeasuring 25 sq yards.
4. The petitioner claims that she has purchased the said property on 08.03.2016 from her mother Smt. Javitri Devi for a sum of ₹2,50,000/- and has been residing in the said property since then. The petitioner claims that she was forcibly evicted from the said property on 18.03.2017 and the same

was sealed.

5. It is averred in the petition that the property in question was sealed pursuant to the proceedings of recovery and enforcement of an award passed against the petitioner's father – Sh Manohar Lal in M.A. claim petition pertaining to FIR No. 329/2007, under Section 279/338 r/w Section 3/181 of the Motor Vehicle Act at P.S. Rajouri Garden, New Delhi. The petitioner has averred that she had been informed by the police officials that the property has been sealed, pursuant to an order passed by a Court in Delhi.

6. It is apparent from the above that any objection that the petitioner may have with regard to the enforcement proceedings must necessarily be agitated before the Court enforcing the award.

7. At this stage, the learned counsel appearing for the petitioner states that he is not aware of the Court which has passed the order or the proceeding in which the orders have been passed.

8. The learned counsel appearing for the respondent states that the property in question was sealed, pursuant to an order dated 03.11.2015 passed by the Court of Ms S.S. Mann, MACT, West.

9. It is also clarified that the petitioner would be at liberty to approach the respondent for further particulars with regard to the said case.

10. The petition is disposed of with the above directions.

11. Order *dasti* under the signature of Court Master.

VIBHU BAKHRU, J

APRIL 25, 2019

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