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

% Judgment delivered on: 10th June, 2020

+ CM(M) 355/2020

UMESH GUPTA

..... Petitioner

versus

PB RETAIL PRIVATE LIMITED

.....Respondent

Advocates who appeared in this case:

For the Petitioners: Mr. Ajay Kumar Gupta and Ms. Surbhi Gupta, Advocates

For the Respondents: Mr. Rajesh Jagirdar, Advocate

Mr. Puneet Bhalla, Advocate for ICICI Bank

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (Oral)

1. The hearing was conducted through video conferencing.
2. Petitioner impugns order dated 28.02.2020 whereby directions were issued to the bankers of the Respondent, the ICICI Bank, Jhandewalan Branch, Delhi to transfer the amount in the bank account of the Respondent to the account of the Petitioner.
3. Learned counsel for the petitioner submits that the petitioner has filed this petition because the bankers of the Respondent were not responding to the directions issued by the Executing Court and the Petitioner was not able to recover his amount.

4. On 05.06.2020, Mr. Puneet Bhalla, Nominated Counsel for ICICI Bank in the Delhi High Court was requested to appear in the proceedings.

5. Mr. Puneet Bhalla, Advocate under instructions submits that in the current account of the Respondent/Judgment Debtor - PB Retail Pvt. Ltd. bearing account No. 057105001679, there is a credit balance of Rs. 3,12,462.11. He submits that he could not obtain instructions because of the limited functioning of the bank as to whether the amount has already been attached pursuant to the orders of the Executing Court dated 16.11.2018 or not.

6. In any event, he submits that he shall immediately instruct that the said amount lying in the bank account of the respondent shall be attached and details of the same shall be forwarded to the Executing Court within three days.

7. In view thereof, this petition is disposed of reiterating the directions of the Executing Court dated 16.11.2018 that the current account bearing no. 057105001679 in the name of Respondent/Judgment Debtor M/s PB Retail Pvt. Ltd. with ICICI Bank, Jhandewalan Branch is attached.

8. Mr. Puneet Bhalla, Advocate submits that the concerned branch is ICICI Bank, Mahavir Enclave Branch, Palam, New Delhi.

9. Accordingly, the Manager, ICICI Bank, Mahavir Enclave

Branch, Palam, New Delhi is directed to send a copy of the bank statement along with certificate indicating the attachment and the amount attached to the Executing Court within three days from today. Copy of the bank statement and the certificate shall also be supplied to learned counsel for the parties.

10. The Executing Court is directed to proceed further with the Execution Petition in accordance with law.

11. The petition is disposed of in the above terms.

12. Copy of the order be uploaded on the High Court website and be also forwarded to learned counsels through email.

JUNE 10, 2020
'rs'

SANJEEV SACHDEVA, J