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

+ **W.P.(C) 1966/2024 & CM APPL. 8252-8253/2024**

SURENDAR KUMAR

..... Petitioner

Through: Mr. Raj Kumar Yadav, Advocate
(through VC)

versus

**GOVT. OF NCT OF DELHI THROUGH REGISTRAR OF CO-
OPERATIVE SOCIETIES**

..... Respondent

Through: Mr. Satyakam, ASC, GNCTD

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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12.02.2024

CM APPL. 8253/2024 (for exemption)

Allowed, subject to all just exceptions.

Accordingly, the present application stands disposed of.

W.P.(C) 1966/2024 & CM APPL. 8252/2024

1. Present writ petition has been filed challenging the attachment warrant dated 10th May, 2023 issued by the Respondent No. 1 whereby Canara Bank has been directed to recover an amount of Rs. 7,49,000 from the bank account of the judgement debtor i.e. the Petitioner, or in the alternative, deduct Rs. 15,000 per month regularly and remit the same to the bank account of the Respondent No. 1, till further orders, with respect to proceedings in Execution Case No. 02/2022-23.

2. Learned counsel for the Petitioner states that the aforesaid attachment order issued with respect to the bank account of Petitioner, wherein he



receives pension post retirement from the services on 28th February, 2018, is illegal and liable to be quashed. He submits that as per Section 11 of the Pension Act, 1871, the pension amount is exempt from attachment, seizure and securitization by process of any Court, at the instance of a creditor, for, any demand against the pensioner, or in satisfaction of a decree or order of any such Court.

3. Learned counsel for the Respondent, who appears on advance notice, has handed over a photocopy of the order dated 18th January, 2024 passed by the Assistant Collector GR-I/II clearly stating that the impugned order dated 10th May, 2023 has been withdrawn with immediate effect.

4. In view of the aforesaid order which is taken on record, the present writ petition is disposed of as satisfied. Pending application stands disposed of.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

FEBRUARY 12, 2024/msh