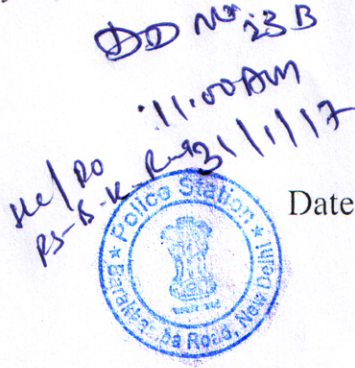


Capital Maintenance Corporation

Ground Floor Cabin, New Delhi House, 27 Barakhamba Road, New Delhi-110001
E-mail: cmedelhi@yahoo.com; Mobile: 92-506-22291

The Station House Officer
Police Station
Barakhamba Road
New Delhi-110 001



Date: January 30, 2017

Sub: Complaint against Ms Sunita Bhardwaj and Mr Mubeen Khan

Sir

1. That since December 2004, I am the Sole Proprietor of Capital Maintenance Corporation (“CMC”), operating from Ground Floor Cabin of New Delhi House, 27 Barakhamba Road, New Delhi-110001 (“Building”) providing the occupants of the said building maintenance services, security, plumbing & electrical and water supply besides other ancillary operations relating to the running of the operations of the Building. The Building was constructed by New Delhi Hotels Ltd and the Electricity Bills and Water Meter continues to be in the name of the said builder till date.

2. CMC had started functioning since 1974 and were in different hands from time to time, primarily controlled by the relatives of the builder till October 2002 when it was in the hands of Mr Anil Khanna. Sometime in the year 2002, one of the CMC staff Mr Ram Bahadur of CMC died in an accident in the building which led to labour unrest. As a result of this, Mr Anil Khanna came in touch with Ms Sunita Bhardwaj, who was a practicing lawyer in Tis Hazari Court and her husband Mr Umesh Sharma, who was primarily handling labour cases.

3. Due to some unknown fear, in October 2002, Mr Anil Khanna transferred CMC to Mr Sharat Bhardwaj, the brother of Ms Sunita Bhardwaj. At that time also, Ms Sunita Bhardwaj was the benami owner of CMC. Mr Sharat Bhardwaj did not like this arrangement for long. At that time I was already working with Ms Sunita Bhardwaj as typist at her cabin in Tis Hazari Courts since 1998. In December 2004, Ms Sunita Bhardwaj persuaded me to take over CMC as its Sole Proprietor. She told me I do not have to do anything and she will take care of all the paper work, running of CMC, etc. Since I was already working under her, due to fear of losing my job, I could not get enough

1/9

courage to say her no. Since then I am the Sole Proprietor of CMC, which is in benami manner held by Ms Sunita Bhardwaj.

4. As a result of the above arrangement, from time to time she had been taking my signatures on blank papers and blank cheques. She used to fix the maintenance charges and prepare invoices in benami manner, which used to be given to the occupants of the building through the staff of CMC. Roughly about Rs 10 lakh per month used to be collected from the occupants of the building. This is besides what she collects for Parking Fee and other major building work from the Flat Owners through a defunct Organisation created by her in 2010 called Association of Apartment Owners of New Delhi House (“AOAONDH”).

5. She had fixed the salary of CMC staff in violation of the provisions under the Minimum Wages Act, as shown in the following table: -

Sl	Expense Head	Amount
1	Hare Ram (Manager)	10,500
2	Shiv Kumar (Electrician)	7,500
3	Sanjay (parking duty)	6,500
4	Vinod (parking duty)	6,000
5	Pradeep (night duty)	7,000
6	Rakesh (night duty)	6,000
7	Khan (plumber)	5,000
8	Chander Pal (Cleaner)	6,000
9	Dilip (Cleaner)	6,000
	Total Staff Salary	60,500
10	Lift Contract	39,000
	Total Staff & Lift Contract	99,500

6. CMC has been maintaining the following accounts: -

- (i) Indian Overseas Bank, St Stephen's Hospital, Delhi-110054
(A/C No.: 549)
- (ii) Punjab National Bank, MSME Branch, New Delhi House, 27
Barakhamba Road, New Delhi-110001
A/c No.: 4821002100001038

2/9

Fraudulent withdrawals

7. Monthly payment of about Rs 10 lakh is received from the occupiers of the Building in the above stated CMC's accounts. This includes Service Tax levied on the Services provided by CMC. It is now learnt that the Service Tax was paid only for one year in 2010 and thereafter Ms Sunita Bhardwaj did not pay as she siphoned away the entire money. After making payments of the staff salary, etc., over Rs 8.50 lakh used to remain in the accounts of CMC, which should have been used for the maintenance of the Building. But, she used to withdraw cash by misusing blank cheques on which she used to take my signatures in bulk from time to time. The signed blank cheques were later used to be filled-up by the above referred CMC Staff - sometimes by Mr Hare Ram and sometimes by Mr Shiv Kumar. Then immediately thereafter, they used to deposit the withdrawn cash in Ms Sunita Bhardwaj's following personal accounts: -

1. HSBC, Barakhamba Road, New Delhi
A/c No. 1166223016001
2. IDBI, Surya Kiran Building, Kasturba Gandhi Marg, New Delhi
A/c No. 041310200004107
3. IDBI, Surya Kiran Building, Kasturba Gandhi Marg, New Delhi
A/c No. 0011102000079949

8. In order to disguise the reverse traceability, she had attempted to ensure that the withdrawn amount does not exactly tally with the deposited amount. For this, she would either add or reduce the amount by about Rs 2,000/-. The additional such cash required for this purpose used to be taken from the cash received from parking charges. However, in case the deposited amount is less than the withdrawn amount, the excess used to be returned to her by them (Mr Hare Ram / Mr Shiv Kumar) in cash.

9. But, every criminal, no matter how clever he/she may be, leave some sort of evidence behind. In this case too, the evidences are as follows: -

3/9

- (i) Handwriting on the cheques (front-side and signatures on the back-side) at the time of withdrawing cash from CMC
- (ii) Handwriting on cash deposit-slips for the accounts of Ms Sunita Bhardwaj would be matching with the same person who had withdrawn from CMC
- (iii) Matching of Cash withdrawn and Cash deposited, amount wise
- (iv) Matching of Cash withdrawn and Cash deposited, timing wise

Operation & Maintenance of Lifts

10. Due to her full control on CMC, she had the liberty to withdraw cash, whenever she had wanted. But, she did not have that kind of liberty in AOAONDH, which had a separate Treasurer. Therefore, about 4 to 5 years back, she transferred the liability of the maintenance of lifts from CMC to AOAONDH. This added another about Rs 40,000/- per month in cash to her kitty.

11. Presently, the lifts are under comprehensive maintenance with M/s Evaan Elevators, paid at Rs 10,000 per month per lift ie Rs 40,000 per month for the four lifts. This includes payment of salary to two staff engaged for running the elevators. Recently, for running one lift on Sundays (10AM to 4 PM), she has agreed to pay Rs 3,000 more. Thus, a total of Rs 43,000 is payable to M/s Evaan, and after deductions, the company gets Rs 39,000 per month from AOAONDH.

Service Tax Liability

12. CMC has paid service tax to the government only for the first year ie in the FY 2010-11. Thereafter, CMC used to collect Service Tax and never deposited. It is now learnt that the Service Tax notice was issued about 6 to 7 months back, and Rs 5 lakh was paid at that time. Since then no amount has been paid. On 13.12.2016, the Service Tax authorities issued a Summon to CMC. Broadly, about Rs 51 lakh is payable (details shown in table below) as principal amount besides interest and penalty. This amount is likely to be in

9/17

the range of about Rs 1 crore. The exact calculations are unknown at the moment.

Unpaid Service Tax calculations since 01.04.2011					
Location	Flat Area (Sq Feet)	Rs per Sq feet	Service Tax		
			Rate	Monthly	xx months
01.04.2011 to 31.03.2012 (12 months)					
Basement	19,904	2.75	10.30%	5,638	67,654
Ground Floor	4,262	2.75		1,207	14,487
1st Floor	18,321	5		9,435	113,224
2nd to 12th Floors	115,610	5		59,539	714,470
01.04.2012 to 31.05.2015 (38 months)					
Basement	19,904	2.75	12.36%	6,765	257,084
Ground Floor	4,262	2.75		1,449	55,049
1st Floor	18,321	5		11,322	430,250
2nd to 12th Floors	115,610	5		71,447	2,714,985
01.06.2015 to 31.05.2016 (12 months)					
Basement	19,904	2.75	14%	7,663	91,956
Ground Floor	4,262	2.75		1,641	19,690
1st Floor	18,321	5		12,825	153,896
2nd to 12th Floors	115,610	5		80,927	971,124
01.06.2016 to 31.01.2017 (8 months)					
Basement	19,904	2.75	15%	8,210	65,683
Ground Floor	4,262	2.75		1,758	14,065
1st Floor	18,321	5		13,741	109,926
2nd to 12th Floors	115,610	5		86,708	693,660
Total					5,094,239

Electricity and Water Dues

13. The building has two electricity meters installed in the name of New Delhi Hotels Ltd, the builders of the Building. The total monthly bill is about Rs 1.25 lakh. However, due to unpaid arrears, as of 15.12.2016, Rs 10,05,503/-

5/9

14. In August 2015 NDMC disconnected Water Supply to the building due to non-payment of Water Bill. As on June 2015, Rs 25,83,315/- is pending. The payable amount would be more now due to interest calculations, etc.

Consumer No.	Arrears	Current	Late fee	Total
Electricity Bills (as on 15.12.2016)				
1011872	353,662.63	61,878.79	12,169.00	4,27,710
1011873	491,456.04	64,009.19	22,328.12	5,77,793
Total				10,05,503
Water Bill (As on 30.06.2015)				
1011871	2,080,854.00	37,491.00	464,970.71	25,83,315

5th Lift sold off

15. The building had five lifts. About 7-8 months back, one lift was dismantled under the guise of replacement. But, the original lift has been sold off for Rs 2.50 lakh and nobody knows where the said money has disappeared. The order for the replacement has not yet been placed.

Fire fighting supply

16. Water supplies and the pipes for extinguishing fire in the entire building has been corroded and worn out at critical places. In case of any exigencies, the pipes will not be able to withstand water pressure risking severely the safety of life and property of the occupants.

Rusted steel

17. At several important parts of the building, plaster has come out and the steel is exposed with rust. Such structure of the building may not withstand the severe earth quake condition.

Her Empire

18. Entire money meant for the maintenance has been pocketed by Ms Sunita Bhardwaj. As a result of the above dishonest earnings, she has built an empire for herself, as shown in the following table: -

Sl.	Property details	Ownership	Registration
1	112, New Delhi House, 27, Barakhamba Road, New Delhi	Ms Sunita Bhardwaj	Mar-2004
2	Flat No. 19-A, Boulevard Road, DDA Flats, Opp. St. Stephen's Hospital, Delhi-110054	Ms Sunita Bhardwaj	Feb-2005
3	Flat No.22-A, Boulevard Road, DDA Flats, Opp. St. Stephen's Hospital, Delhi-110054	Ms Sunita Bhardwaj	Apr-2005 (GPA)
4	227, 3 rd Floor, Pocket-B, Platinum Heights, Sector-18, Dwarka, New Delhi-75	Ms Sunita Bhardwaj	Apr-2007
5	246, 1 st Floor, Pocket-E, Group-2, Sector-B-2, Narela, New Delhi-40	Ms Sunita Bhardwaj	Nov-2007
6	229, 3 rd Floor, Pocket-B, Platinum Heights, Sector-18, Dwarka, New Delhi-75	Mr Umesh Sharma	Feb-2008
7	302, Ground Floor, Pocket-D, Group-2, Sector-B-2, Narela, New Delhi-40	Ms Sunita Bhardwaj	Feb-2008
8	Flat No.18-C, Boulevard Road, DDA Flats, Opp. St. Stephen's Hospital, Delhi-110054	Ms Sunita Bhardwaj	Dec-2008
9	Flat No. 19-C, Boulevard Road, DDA Flats, Opp. St. Stephen's Hospital, Delhi-110054	Ms Sunita Bhardwaj	Dec-2008
10	1/2, Taj Apartment, Rao Tula Ram Marg, Near Sector-12, R.K. Puram Market, New Delhi-22	Ms Sunita Bhardwaj	Feb-2009
11	Flat No.18-A, Boulevard Road, DDA Flats, Opp. St. Stephen's Hospital, Delhi-110054	Mr Umesh Sharma	Mar-2009
12	Flat No.18-B, Boulevard Road, DDA Flats, Opp. St. Stephen's Hospital, Delhi-110054	Mr Umesh Sharma	Mar-2009

6/9

13	Flat No.19-B, Boulevard Road, DDA Flats, Opp. St. Stephen's Hospital, Delhi-110054	Mr Umesh Sharma	Mar-2009
14	Flat No. 20-A, Boulevard Road, DDA Flats, Opp. St. Stephen's Hospital, Delhi-110054	Ms Sunita Bhardwaj	Mar-2009
15	Flat No. 20-B, Boulevard Road, DDA Flats, Opp. St. Stephen's Hospital, Delhi-110054	Ms Sunita Bhardwaj	Mar-2009
16	Flat No.20-C, Boulevard Road, DDA Flats, Opp. St. Stephen's Hospital, Delhi-110054	Mr Umesh Sharma	
17	Flat No.53, Second Floor, Pocket-11-B, Sector-23, Rohini, Delhi	Mr Umesh Sharma	Apr-2009
18	209, Mercantile House, 15, Kasturba Gandhi Marg, New Delhi	Ms Sunita Bhardwaj	Nov-2011
19	111, New Delhi House, 27, Barakhamba Road, New Delhi	Ms Sunita Bhardwaj & Mr Umesh Sharma	Mar-2012

19. Her Pan No. is AHFPB1928E. She pays only a nominal income tax. Apparently she has not disclosed several of her bank accounts to the Income Tax authorities.

Forgery

20. Recently, when I had insisted that she must clear all the statutory dues of CMC including the Service Tax, then she had threatened me with serious consequences as all the papers of CMC are in my name. She has threatened to further misuse several of the signed blank cheques and blank signed papers that are still in her possession and file false police complaints and court cases against me. But I kept insisting that she must clear all the statutory dues of the building. It is now understood that she has forged my signatures and is trying to transfer CMC to a third person by the name of Mr Mubeen Khan S/o Late Shamsuddin. His wife name is Ms Nargis. Mr Mubeen Khan works as contract-worker at the OPD desk (issuing slips) of Aruna Asif Ali Govt

7/9

Hospital at Rajpura Road, New Delhi. His phone number is 97-111-80316 and is a resident of 6A, DDA Janata Flats, Boulevard Road, Opp. St. Stephen's Hospital, Delhi-110054 and permanent address is 30-A, Bagichi Bhargava Lane Boulevard Road, Delhi-110054. Using forged documents, Ms Sunita Bhardwaj had attempted to open an account (No. 0011102000080732) for him in IDBI, Surya Kiran Building, Kasturba Gandhi Marg, New Delhi showing him as the Sole Proprietor of CMC.

21. The Hon'ble Court of Shri Prashant Sharma, Commercial Civil Judge, Patiala House Courts, New Delhi, vide his Order dated 12.03.2014 in Suit No. 57/2013 filed by me (as Plaintiff), had Ordered as follows: -

"It is ordered that suit is decreed in favour of plaintiff and against defendants and therefore defendants and their agents, servants, supporters or any other person acting on behalf of defendants are restrained from interfering in the activities of plaintiff in providing the maintenance services inside the building New Delhi House, 27 Barakhamba Road, New Delhi."

Present position

22. Since lot of statutory dues are outstanding and in view of the summons issued by the Service Tax authorities, I cannot run away from the situation. I have to tell the complete picture to the authorities so that Ms Sunita Bhardwaj can be brought to justice and all the money that has been siphoned away by her is returned to CMC so that it can clear the statutory obligations. From now onwards, I will be in complete control of CMC as I have asked the bankers to stop all the payments from the blank cheques signed by me, which are being misused by Ms Sunita Bhardwaj. I will work for the full welfare of the building and use the money received in a transparent manner with all the income and expenses uploaded on the web site every month. I will pay all the staff of CMC as per law. Whatever statutory charges are collected shall be deposited by me promptly. I am scheduled caste. I shall be protected by law.

Prayers

In view of the above, you are requested to:

8/9

(a) Lodge complaint under appropriate sections of the IPC against: -

(i) Ms Sunita Bhardwaj, office at 112, New Delhi House, 27 Barakhamba Road, New Delhi-110001 (Mobile No.: 98-685-35388)

(ii) Mr Mubeen Khan S/o Late Shamsuddin, R/o 6A, DDA Janata Flats, Boulevard Road, Opp. St. Stephen's Hospital, Delhi-110054 and Permanent Address 30-A, Bagichi Bhargava Lane, Boulevard Road, Delhi-110054 (Mobile No.: 97-111-80316);

(b) recover the forged documents in respect of transfer or CMC to Mr Mubeen Khan lying in the custody of Ms Sunita Bhardwaj;

(c) recover blank signed cheques of CMC lying in the custody of Ms Sunita Bhardwaj;

(d) identify and recover the amount that was transferred in cash from CMC to Ms Sunita Bhardwaj's personal accounts;

(e) restrain Ms Sunita Bhardwaj and Mr Mubeen Khan from causing any obstruction in the due discharge of my function in providing maintenance to the Building; and

(f) protect me from any physical harm that may be caused by Ms Sunita Bhardwaj and Mr Mubeen Khan or anyone acting on their behalf.

Thanking you

Yours sincerely

For Capital Maintenance Corporation


Yash Pal Singh
(Sole Proprietor)

9999155692

Enclosed: Copy of Court Order dated 12.03.2014

Shiv Kumar
C.M.C New Delhi House

27 B.K Road New Delhi 9/9

M-9250622291