

15.05.2026

Present : Sh. Sunil Sehrawat, Ld. Counsel for the petitioner.
Mr. Rawat, AR of the petitioner in person.
None for respondent, despite repeated calls.

1. Mr. Rawat, appearing on behalf of the petitioner has filed an affidavit tendering his unconditional apology.
2. Ld. Counsel for the petitioner has filed the fresh statement of account.
3. Same be taken on record.
4. Ld. Counsel for the petitioner submitted that it was inadvertent mistake on the part of the AR and he also missed the same. He further submits that AR would be more careful in future.
5. In view of the submissions made and with a warning to the AR of the petitioner to be more careful in future, he is discharged for today.
6. Ld Counsel for the petitioner further submitted that respondent has already been served through e-mode and is deliberately avoiding the process and is not appearing before this court. He submits that the respondent is in default of more than 3 continuous installments and in case the equipment/vehicle in question is not taken into possession by the Receiver, to be appointed by this court, the petitioner

would suffer irreparable loss. A request has been made to dispose off the present petition. Ld. Counsel for the petitioner submitted that the petitioner is planning to initiate fresh arbitration proceedings against the respondent in accordance with the law as the existing arbitral award has become non-existent in the eyes of law.

7. Heard and perused the record.
8. Record would indicate that respondent has been served through e-mode on 23.03.2026. There is nothing on record to disbelieve the submissions made by the Ld. Counsel for the petitioner. The present case was called several times since morning but despite service respondent has chosen not to appear. **In these circumstances, respondent is proceeded exparte.**
9. Vide my separate order announced in the open court today, the present petition is disposed of whereby **Mr. Ramniwas Sharma**, representative/employee of the petitioner has been appointed as the receiver to take possession of the equipment/vehicle in question.
10. File be consigned to record room, as per rules.

(Rajesh Kumar Goel)
District Judge (Commercial Court)-02
Central District, Tis Hazari Courts, Delhi
15.05.2026