

Ex. No. 576/2019

M/S ABB INDIA LIMITED VS M/S TECHNO AIRCON INDUSTRIES PVT. LTD.

15.01.2021

Counsel as well parties have to join through video conferencing in reference to Order No. Admn./2020/SED/7783-7858 dated 02.08.2020 for which an open link was given to one and all.

Present : Sh. Nikhilesh, Ld. Counsel for DH.

Ms. Ananya Bhattacharya, Ld. Counsel for JD.

Learned counsel for JD has moved an application u/s 151 CPC seeking recall of the order dated 26.11.2020 passed by this Court whereby this Court had ordered for appointment of bailiff for attachment of movable property of the JD.

Admittedly, there is no stay in the execution proceedings. However, one petition u/s 34 of the Arbitration and Conciliation Act has been filed by the JD challenging the award dated 28.02.2019 passed by the learned Arbitrator.

Now taking into account the pleas raised in the application, I am only deferring the appointment of bailiff for 06.02.2021 enabling the JD to take legal recourse in the pending petition u/s 34 of the Arbitration Act failing which warrants would be issued as there is no stay or legal impediment.

Needless to state that this order is being passed/time is being granted to the JD as there was restrictive functioning of the Court.

Be listed for **06.03.2021**.

The date i.e. 15.02.2021 already fixed stands cancelled.

(Shunali Gupta)
Additional District Judge-05
South-East District, Saket Court
New Delhi /15.01.2021