



Via video conferencing

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IN THE HIGH COURT OF DELHI AT NEW DELHI

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EX.P. 57/2020

ASHOK RAJENDRAPRASAD GUPTA

..... Decree Holder

Through Mr.Jayant Mehta, Adv.

versus

SUDARSHAN KUMAR ARYA & ORS.

..... Judgement Debtor

Through Mr.Rajshekhar Rao with Mr.Pai
Amit, Mr.Rahat bansal, Mr.Shreeyansh Lalit,
Advs.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

14.12.2020

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1. This is a petition under Section 36 of the Arbitration and Conciliation Act, 1996 seeking enforcement of award dated 09.07.2014 read with five addendums issued on 29.08.2014, 16.02.2015, 17.03.2015, 10.01.2016 and 11.09.2016.
2. Learned counsel for the decree holder (DH) submits that in terms of the award, the DH is entitled to receive a sum of over Rs. 25.64 crores from the judgment debtors (JDs), along with transfer of 60% shares in M/s Prakash Parcel Services Limited, which are presently owned by JD Nos. 1 and 2. He further submits that though the said shares already stand deposited with this Court pursuant to orders passed in OMP(I)18/2017. He, therefore, prays that the said shares be directed to be immediately transferred in the name of the DH.



3. Issue notice. Mr.Amit Pai, Advocate accepts notice for the JD Nos.1 to 3. Issue notice to the JD Nos.4 & 5 through all permissible modes including electronic means on the email address furnished in the memo of parties, returnable on 16.03.2021.
4. Mr.Rajshekhar Rao, Advocate appearing on behalf of the JD Nos.1 to 3 while not disputing that the aforesaid claims made by the DH falls within the ambit of the Award as it stands today, submits that the DH is yet to comply with his obligations under the award and, therefore, prays that time be granted to file a short response.
5. Accordingly, the JDs are granted three weeks' time to file reply/objections. The JDs are also directed to file their affidavit of assets in terms of Form 16 A, Appendix E under Order XXI Rule 41(2) of the Code of Civil Procedure, 1908 within three weeks. Rejoinder and response to the affidavit of assets, if any, be filed within two weeks thereafter.
6. On the next date, the Court will consider the aspect of transfer of the aforesaid shares in favour of the DH.

REKHA PALLI, J

DECEMBER 14, 2020

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