



\$~26 & 27

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

+ CONT.CAS(C) 1088/2024 & CM APPL. 50124/2024 –Dir.

COURT ON ITS OWN MOTIONPetitioner
versus

AJAY SINGH AND ORSRespondents

+ FAO(OS) (COMM) 102/2024

SPICEJET LIMITEDAppellant
versus

TWC AVIATION CAPITAL LIMITEDRespondent

Memo of Appearances:

For Petitioners/ Appellants:

Mr.Akhil Sibal, Sr. Adv. with Mr.K.R.Sasiprahu, Ms.Chinmayi Chatterjee & Mr.Parth Rashik, Advs. for Spicejet Ltd. in FAO(OS)(COMM) 102/2024

For Respondents:

Mr.Dayan Krishnan, Sr. Adv. with Mr.Ankur Mahindro, Mr.Ravi Nath, Mr.Rohan Taneja, Mr.Aditya Kapur, Mr.ABhijeet Mittal, Mr.Siddhant Vyas, Ms.Vashika Arora, Mr.Ashutosh Aggarwal, Mr.Raghav Kalra, Mr.Shreedhar Kale & Mr.Sukrit Seth, Advs. in TWC Aviation Capital Limited in CONT.CAS(C) 1088/2024 & FAO(OS) (COMM) 102/2024.

Mr.Akhil Sibal, Sr. Adv. with Mr.K.R.Sasiprahu, Ms.Chinmayi Chatterjee & Mr.Parth Rashik, Advs. for Spicejet Ltd. in CONT.CAS(C) 1088/2024

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE MANOJ JAIN



ORDER
19.02.2025

%

1. Even though learned senior counsel for the respondent in FAO(OS)(COMM) 102/2024 prays that a Local Commissioner having the necessary technical expertise be appointed to ascertain as to whether the appellant is still in possession of some part of the Air Engines and Air Frames as also of technical records as set out by way of Document Nos.6 & 9 to the respondent's affidavit dated 16.08.2024, learned senior counsel for the appellant seeks to oppose the same by urging that no prayer in respect of the purported missing parts of the Air Engines has been made in CM APPL. 50124/2024. Furthermore, he contends that even otherwise, there is no obligation on the appellant to return any part of the Air Frames to the respondent once the respondent elected to take possession of the aircrafts despite some of the parts of the Air Frames being missing. He further submits that all the relevant technical records already stand returned to the respondent.
2. Taking into account that the Regular Bench has not assembled, hearing is being deferred.
3. List on 21.02.2025.

REKHA PALLI, J

MANOJ JAIN, J

FEBRUARY 19, 2025

kk