



\$~116 and 117

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

CNR No. DLHC010410332024

+ **CONT.CAS(C) 1088/2024 and CM APPL. 50124/2024**
COURT ON ITS OWN MOTIONPetitioner

Through: Mr. Ankur Mahindro, Mr. Ravi
Nath, Mr. Rohan Taneja, Mr.
Siddhant Vyas, Mr. Raghav
Kalra, Mr. Vishesh Gandhi and
Mr. Uday Chhabra, Advocates

versus

AJAY SINGH AND ORSRespondents

Through: Mr. Amit Sibal, Sr. Adv. along
with Mr. K. R. Sasiprabhu, Mr.
Yasharth Misra, Mr. Vijay
Valson and Mr. Darpan
Sachdeva, Advs.

CNR No. DLHC010313142024

+ **FAO(OS) (COMM) 102/2024**
SPICEJET LIMITEDAppellant

Through: Mr. Amit Sibal, Sr. Adv. along
with Mr. K. R. Sasiprabhu, Mr.
Yasharth Misra, Mr. Vijay
Valson and Mr. Darpan
Sachdeva, Advs.

versus

TWC AVIATION CAPITAL LIMITEDRespondent

Through: Mr. Ankur Mahindro, Mr. Ravi
Nath, Mr. Rohan Taneja, Mr.
Siddhant Vyas, Mr. Raghav
Kalra, Mr. Vishesh Gandhi and
Mr. Uday Chhabra, Advocates

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MS. JUSTICE SHAIL JAIN



ORDER

04.08.2026

%

1. The present Order shall dispose of CONT.CAS(C) No. 1088/2024 as well as the proceedings pending in FAO(OS) (COMM) 102/2024, which was withdrawn on 27th May, 2024.

2. It is pertinent to note that, in CS (COMM) No. 285/2024, by Order dated 15th May, 2024, passed in I.A. No. 7590/2024 preferred by the Respondent, the learned Single Judge granted an interim mandatory injunction in the following terms:

20. Under such circumstances, this Court has no option but to direct that the aircrafts along with the engines along, with all relevant records relating to technical condition and usage of aircrafts shall be handed over to the Plaintiff by 28th May, 2024. Ordered accordingly.

3. Aggrieved thereby, the Appellant preferred FAO(OS) (COMM) 102/2024. However, as stated earlier, the said Appeal was withdrawn on 27th May, 2024. While withdrawing the Appeal, learned Senior Counsel appearing on behalf of the Appellant made the following statement, which was duly taken on record:

6. We may note that Mr Sibal also submits that the appellant/defendant would like to advance submissions in the pending suit, although that would not come in the way of handing over the physical possession of the subject aircraft frames, engines and technical records.

6.1 Mr Sibal's statement is taken on record.

7. The appellant/defendant will hand over the subject aircraft frames, engines and technical records to the authorised representative of the respondent/plaintiff on or before 17.06.2024.

4. It is thereafter that the present contempt proceedings came to be



initiated on the ground that the aforesaid undertaking was allegedly not complied with within the stipulated time.

5. During the pendency of the present proceedings, one aircraft frame and two aircraft engines were handed over to the Respondent. The remaining aircraft frame and one engine were also delivered subsequently, albeit after a delay of six days.

6. It is further stated on behalf of the Appellant that certain technical records and the missing aircraft parts were also handed over.

7. However, learned Counsel appearing on behalf of the Respondent submits that the complete technical records and all the missing parts have still not been delivered. The said contention is disputed by Mr. Amit Sibal, learned Senior Advocate appearing on behalf of the Appellant.

8. It is an admitted position that the Civil Suit pending before the learned Single Judge stands concluded by the Judgment and Decree dated 30th August, 2024. Consequently, any grievance pertaining to the implementation or enforcement of the said Decree may be pursued by the Respondent by availing the remedy of execution in accordance with law.

9. Learned Counsel appearing on behalf of the Respondent, upon instructions, submits that the Respondent proposes to file an Execution Petition for enforcement of the decree.

10. In view of the aforesaid developments, this Court is of the considered opinion that the present Contempt Petition need not be kept pending any further. The same is accordingly disposed of, leaving it open to the Respondent to avail the remedy of execution in accordance with law.

11. Needless to observe, this Court has expressed no opinion on the



merits of the disputes between the parties, and all rights and contentions are left open to be urged before the appropriate forum.

12. Let a photocopy of this Order be placed on the record of the connected matter.

ANIL KSHETARPAL, J.

SHAIL JAIN, J.

AUGUST 4, 2026/PT/MM