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

\+ O.M.P.(EFA)(COMM.) 13/2019 & CAV. 1077/2019 and Ex. Appl.(OS) 732/2019

NINE RIVERS CAPITAL LIMITED ..... Decree Holder
Through: Ms.Niti Dixit, Adv.

versus

GOKUL PATNAIK & ANR. ..... Judgement Debtors
Through: Mr.Anand Varma, Ms.Vanshika Gupta, Ms.Shwetank Singh and Mr.Dairya Madan, Advs. for JD-1

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

O R D E R

% 24.10.2019

CAV. 1077/2019

As the learned counsel for the caveator enters his appearance, caveat stands discharge.

EX.Appl.(OS) 732/2019 *(for exemption)*

Exemption allowed subject to all just exceptions.

The application stands disposed of.

O.M.P.(EFA)(COMM.) 13/2019

At the outset, learned counsel for the judgement debtor states that the present petition in this Court is not maintainable as *vide* the share-purchase agreement the parties have decided to confine the jurisdiction of a Court in Mumbai.

Keeping the objection open, issue notice. Mr.Anand Varma, learned counsel, accepts notice for judgement debtor no.1.

Let notice be issued to judgement debtor no.2.

The judgement debtor no.1 shall file an affidavit in terms of the order dated 8th October, 2019 passed by the Co-ordinate Bench of this Court in ***Intec Capital Limited v. Ashwini Chawla*** being ***OMP (ENF.) (COMM) 180/2019***, copy of which is given to the counsel for judgment debtor no.1.

Learned counsel for the judgement debtor no.1 states that the judgement debtor has one flat in Vasant Kunj, Delhi and he shall not dispose of the same till the next date of hearing.

Renotify on November 20, 2019.

V. KAMESWAR RAO, J

OCTOBER 24, 2019/*bh*