



Via video conferencing

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IN THE HIGH COURT OF DELHI AT NEW DELHI

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

NINE RIVERS CAPITAL LIMITED

..... Decree Holder

Through: Mr.Manik Dogra with Mr.Viral Mehta, Mr.Shahezad Kazi, Mr.Aubert Sebastian, Ms.Abhishikta Mallick, Ms.Aditi Agarwal, Adv.

versus

GOKUL PATNAIK & ANR.

..... Judgement Debtor

Through: Mr. Aashish Barua, Adv.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

07.12.2020

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I.A. 1027/2020 & I.A. 1028/2020

1. These are applications filed by the decree holder(DH) seeking early hearing of the main petition, as also of CCP(O)10/2020 filed by the DH seeking initiation of contempt proceedings against the judgment debtor(JD) for deliberately filing misleading affidavits before this Court.

2. Learned counsel for the DH submits that the conduct of the JD No.1 clearly shows that he has tried his best to ensure that the DH is not able to derive any fruits of the Award, despite its having succeeded not only before the learned Arbitral Tribunal but even before the High Court of Singapore. By drawing my attention to the JD No. 1's affidavit dated 24.02.2020, he submits that the JD No.1



himself has admitted that he had transferred a huge number of shares in M/s Segrow Biotechnics (India) Pvt. Ltd to his wife by way of a gift on 15.03.2019, *i.e.*, barely a few months before the Award was passed on 24.06.2019. He, therefore, contends that the JDs are likely to dispose of their remaining assets as well and, therefore, prays that the present petition, as also the contempt petition, be taken up on an early date.

3. Though learned counsel for the JD vehemently denies all these averments, in my view, the DH has been able to make out a case for expediting the proceedings. Accordingly, the applications for early hearing are allowed and the CCP(O)10/2020 is taken up for consideration today itself.

4. The applications stand disposed of.

CCP(O) 10/2020

5. Issue notice. Learned counsel for the JDs accept notice. He prays for and is granted four weeks' time to file reply. Rejoinder thereto, if any, be filed within two weeks thereafter.

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6. List the petition along with CCP(O)10/2020 for consideration on 05.03.2021.

REKHA PALLI, J.

DECEMBER 7, 2020

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