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

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

NINE RIVERS CAPITAL LIMITED Decree Holder

Through: Mr Darpan Wadhwa, Senior Advocate with Mr Manik Dogra, Ms Cauveri Birbal, Mr Viral Mehta, Mr Shaheezad Kazi, Mr Aubert Sebastian and Ms Aditi Agarwal, Advocates.

versus

GOKUL PATNAIK & ANR. Judgement Debtors

Through: Mr Anand Varma and Ms Astha Ahuja, Advocates for R-1.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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19.04.2021

[Hearing held through videoconferencing]

E.A. No. 487/2021 & IA No. 499/2020

1. Exemptions are allowed, subject to all just exceptions.
2. The applications are disposed of.

E.A. Nos.486/2021

3. Issue notice.
4. Mr Anand Varma, learned counsel accepts notice.
5. The Decree Holder has filed the present petition seeking impleadment



of Mrs Tita Patnaik, wife of Judgment Debtor No.1, as a respondent to this enforcement proceedings. It is pointed out that Judgment Debtor No.1 had transferred certain shares to his wife Mrs Tita Patnaik without any consideration. This Court had, by an order dated 05.03.2021, passed an order directing that *status quo* be maintained in respect of the said shares – 5,43,364 shares of Segrow Bio Technics (India) Pvt. Ltd.

6. In view of above, the present application is allowed and Mrs Tita Patnaik is impleaded as a party to the present petition. However, it is clarified that the same is only for the purposes of considering an order for directing her to disgorge the said shares.

7. Insofar as directing Mrs Tita Patnaik to file an affidavit of assets is concerned, this Court does not consider it apposite to allow the same at this stage. Needless to state that if at any stage it is found that the Judgment Debtors had transferred any other assets to her to frustrate the award sought to be enforced in this petition, an appropriate order would be passed.

8. The application is allowed in the aforesaid terms. The amended memo of parties be filed before the next date of hearing.

IA No. 496/2021

9. Issue notice. Mr Anand Varma accepts notice and seeks time to file a reply. Let the same be filed within a period of three weeks from today.

10. List on the date already fixed, that is, 12.05.2021.

IA No. 498/2021



11. Issue notice. Mr Anand Varma accepts notice and seeks time to file a reply. Let the same be filed within a period of three weeks from today.
12. List on the date already fixed.

APRIL 19, 2021
RK

VIBHU BAKHRU, J