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

+ **CS(COMM) 839/2022**

**INTERNATIONAL ENGINEERS AND PROJECTS
CONSULTANTS LTDPlaintiff**

Through: Mr. Mahabir Singh, Sr. Advocate
with Mr. Himanshu Mahajan and Mr.
Virender Singh, Advocates.

versus

MAHANAGAR TELEPHONE NIGAM LIMITEDDefendant
Through: Mr Jadbir Bidhuri Adv and Mr Aditya
Mani Sharma Adv

**CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD**

**ORDER
17.02.2026**

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I.A. 4434/2026

1. Vide Order dated 22.07.2025, this Court while adjudicating upon on I.A. 34749/2024, had disposed of the said application. This Court had observed as under:-

“13. The parameters of Order XXXVIII Rule 5 of CPC are satisfied in the present case, as there exists a strong likelihood that if no pre-decretal attachment is granted at this stage, the defendant may alienate, dispose of, or otherwise encumber its assets in the interim. Such actions would frustrate the execution of the Award as a decree. The very purpose of the said Rule 5 is to prevent the judgment-debtor from defeating the realization of the decree by disposing of its property.



14. For the said reasons, the application is allowed and the defendant is directed to keep a property of Rs. 11 crores unencumbered till the next date of hearing.

15. In case, all the immovable properties of the defendant are unencumbered, the defendant shall create a second charge of Rs. 11 crores in favour of the plaintiff subject to the charge of the financial institutions.”

2. The Mahanagar Telephone Nigam Limited (“MTNL”) has not taken any steps for implementing the said Order. Further, a property of Rs.11 crores unencumbered has not been pointed out by MTNL which is to be kept in order to safeguard the interest of the Plaintiff.
3. The Defendant has yet not complied with the directions given in the Order dated 22.07.2025.
4. The Defendant is directed to comply with the said Order within a period of two weeks from today.
5. Till that Order is not complied with, MTNL is restrained from proceeding ahead and selling any of its properties.
6. List on 25.02.2026.

SUBRAMONIUM PRASAD, J

FEBRUARY 17, 2026

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