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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, Senior Advocate
along with Mr. Himanshu Mahajan
and Mr. Virender Singh, Advocates.

versus

MAHANAGAR TELEPHONE NIGAM LIMITEDDefendant
Through: Mr. Jasbir Bidhuri and Mr. Arun
Sanwal, Advocates.

CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER
25.02.2026

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I.A. 4434/2026

1. Vide Order dated 17.02.2026, this Court passed the following order:-

“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.”

2. Learned Counsel for the Defendant states that the suit property will not be encumbered by MTNL in order to safeguard the interest of the Plaintiff.

3. List on 19.03.2026 before the learned Joint Registrar to record satisfaction regarding evaluation of the suit property.

SUBRAMONIUM PRASAD, J

FEBRUARY 25, 2026

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