



\$~97

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 1482/2025 & CM APPL. 48953/2025**
KALLOL BANERJEEPetitioner
Through: **Mr. Soumitra Chatterjee, Adv.**

versus

D S TECHWORKS SOLUTIONS PRIVATE LIMITED AND
OTHERSRespondent
Through: **Mr. Girish Shankar, Adv. for R-1**

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
11.08.2025

%

CM APPL. 48954/2025

1. Exemption allowed, subject to all just exceptions.
2. Application shall stand disposed of.

CM(M) 1482/2025 & CM APPL. 48953/2025

3. Petitioner herein is aggrieved by order dated 17.07.2025 whereby the learned Executing Court has directed him and the other director to file schedule of their assets within a week or to clear the payment within a week, failing which warrant of attachment would be issued against their assets.
4. The award in question was against M/s Dezine Solutions Private Limited and it seems that during the pendency of the execution petition, nothing could be recovered from the judgment debtor company, and therefore, the decree holder moved an application under Order XXI Rule 37 of the Code of Civil Procedure, 1908 and such application has, eventually, resulted in the abovesaid order.
5. Learned counsel for the petitioner submits that the *corporate veil* could



not have been lifted in the manner it has been done as there is nothing to indicate that the judgment debtor company was trying to defeat the execution of the award. It is also submitted that the petitioner had resigned from the judgment debtor company much before the Award and, therefore, no such direction could have been made, even otherwise.

6. Learned counsel for decree holder appears on advance notice and draws the attention of the Court to one previous order dated 09.05.2025 and submits that the learned Trial Court has already taken a decision to *lift the corporate veil*, and therefore, as a necessary corollary, there was nothing wrong in its subsequent direction to such directors to place on record the schedule of their assets.

7. Let short reply to the petition in question be filed by the respondent/decree holder within four weeks from today with advance copy to opposite side.

8. The petitioner would though submit the schedule of its assets before the learned Executing Court, learned Executing Court, till next date of hearing, shall not take any further coercive step against the petitioner.

9. List on 15.10.2025.

10. The *warrant of attachment*, if already issued, shall remain in abeyance till next date of hearing.

11. Order *dasti* under the signatures of Court Master.

MANOJ JAIN, J

AUGUST 11, 2025/neha