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

+ **CM(M) 3923/2024**

R P BAJAJ

.....Petitioner

Through: Mr. Deepak Agarwal and Mr.
Abhilash Vaishist, Advocates.

versus

MS EAGLE MARITIME INC & ANR.

.....Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **27.11.2024**

CM APPLs. 69258-59/2024 (exemptions)

Allowed, subject to all just exceptions.

These applications stand disposed of.

**CM(M) 3923/2024& CM APPL. 69260/2024 (stay), CM APPL.
69257/2024 (permission to file the present petition)**

1. The petition challenges the impugned order dated 19.11.2024 passed in Execution (COMM) 170/2024, presently pending before the Court of learned District Judge, Commercial Courts, Shahdara District, Karkardooma Courts.
2. The learned counsel submits that Court has issued warrants of attachment of movable property of the Judgment Debtor ['JD'] allegedly lying at 81, Vigyan Vihar, Delhi and for the said purpose, a bailiff has already been appointed yesterday.



3. The learned counsel submits that the petitioner had allowed the JD-M/S Innovative Textiles Ltd. to use his address as registered office due to family relationship/friendship and at present, the office of JD is not operating at 81, Vigyan Vihar, Delhi, which is under the occupation of the petitioner. It is submitted that no movable assets of the JD are lying at 81, Vigyan Vihar, Delhi.

4. A perusal of the impugned order dated 19.11.2024 reveals that Decree Holder ['**DH**'] had also filed one application for attachment of immovable property i.e. 81, Vigyan Vihar, Delhi, but the Court did not permit the attachment because it was not known as to whether the said property was in the name of JD. However, attachment orders were issued in respect of movable properties of the JD, lying at 81, Vigyan Vihar, Delhi because the registered office of the JD was not changed.

5. None appears for JD. Learned counsel submits that advance notice has been sent to the JD through post.

6. Issue notice of the petition to the respondent through all the prescribed modes subject to taking the necessary steps for 23.04.2025.

7. In the meanwhile, the execution of the warrants of attachment qua the movable properties lying at 81 Vigyan Vihar, Delhi be kept in abeyance till the next date of hearing.

8. A copy of this order be given *dasti* under the signatures of the Court Master.

RAVINDER DUDEJA, J

NOVEMBER 27, 2024 /vp