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IN THE HIGH COURT OF DELHI AT NEW DELHI

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O.M.P. (EFA) (COMM.) 6/2016

DAIICHI SANKYO COMPANY, LIMITED Decree Holder
Through Mr. Amit K. Mishra, Mr. Mohit Singh,
Ms. Smridhi Hota, Ms. Kanika Singhal,
Mr. Shivam Panday, Mr. Turab Ali
Kazmi, Ms. Saloni Agarwal, Mr.
Kunal Chatterji, Mr. Aditya Shankar
& Mr. Rohan Jaitley, Advs.

Versus

MALVINDER MOHAN SINGH AND ORS. Judgement Debtor
Through Mr. Aditya Dewan & Mr.
Siddharth Chechani, Advs. For JD
no.6 to 8
Ms. Suman Yadav, Mr. Aditya Sarin
& Mr. Shobhit Ahuja, Advs. for JD-
1,3,4&13 and proxy for JD no14,
15,18 and 19.
Ms. Udit Singh, Adv. For JD
no.16&17
Mr. Rohit Bohra, Advs. For Garnishee
no.7
Mr. Lakshay Laroia, Mr. Tajveer
Bhatia & Kunal Vats, Adv. For
Garnishee no.11
Ms. Ferida S. Chopra, Mr. Aashish
Gupta & Mr. Varun Byreddy, Advs.
for garnishee no.12,13,14&20
Mr. Ritesh Khatri, Adv. For Garnishee
no.18
Ms. Sahiba Singh, Adv. for Garnishee
no.26
Mr. Saleem Hasan & Mr. Rohit
Dahiya, Advs. For Garnishee no.52
Ms. Ekta Sikri & Ms. K. Gayatri,
Advs. For Garnishee no.56
Mr. Tarang Gupta & Ms. Ritambhara

Narang, Advs. For Mr. Mukesh Arora
Ex. Director of Garnishee no.39&40
Mr. Vipin Tyagi, Adv. for Garnishee
i.e. Religare Enterprise Ltd.
Mr. Kapil Sapra & Mr. Vikas Dutta,
Adv. for R-31
Mr. Pratyush Miglani, Mr. Nikhil
Verma & Ms. Smriti Varma, Advs. For
Garnishee i.e. RamchemPvt. Ltd.

CORAM:

SHARAD GUPTA (DHJS), JOINT REGISTRAR (JUDICIAL)

ORDER

% **03.09.2020**

The matter has been taken up through video conferencing in terms of directions vide Circular no.418/RG/DHC/2020 dated 27.08.2020.

OMP (EFA) (COMM.) 6/2016

The matter is listed before the undersigned in terms of directions of the Hon'ble Court vide order dated 14.11.2019 for preparing report in respect of one lot of 56 Garnishees and further, for preparing report in respect of another lot of 18 garnishees (mentioned in EA no 809/2020) vide order dated 25.08.2020.

The 18 garnishees mentioned in EA no 809/2020, alongwith the DH and JDs have been granted time by the Hon'ble Court vide order dated 25.08.2020 for completion of pleadings. Accordingly, parties are at liberty to file their response/reply/rejoinder, if any, within the time as granted by the Hon'ble Court with copies of the pleadings, affidavits and documents to be exchanged.

It is stated by learned counsel for decree holder that an appropriate application qua deceased proposed garnishee no.32 was

filed yesterday itself. However the same is stated to be under objection. Learned counsel undertakes to check up the same with the registry and get the same placed on record. Let needful be done as stated with copy to garnishee no.12.

It is stated by learned counsel for JD no.1,3,4&13 and proxy counsel for JD no.14,15,18&19 that responses qua garnishee no.3,7,16 and 30 have already been filed and responses qua remaining garnishees concerned will be filed at the earliest. Let responses to the affidavit of remaining garnishees, who are connected with the said JDs be filed within five days from today with copy to concerned garnishees as well as to the decree holder.

It is stated by learned counsel for JD no.6 to 8 that he has already received compilation of documents and affidavits filed by the garnishees from learned counsel for the DH. Learned counsel for said JDs is at liberty to file their responses to the affidavit of the garnishees concerned with said JDs, within five days, with copy to the concerned garnishes as well as decree holder. Learned counsel further submits that henceforth documents, if any, filed by the Granishees be supplied to all the JDs. In this context, learned counsel is requested to intimate the undersigned the particulars of Garnishees concerned with the said JDs qua whom documents have not been supplied so that direction for supply of documents can be given. Learned counsel submits that he will inspect the file and intimate on next date.

It is stated by learned counsel for garnishee no.56 that the affidavit of JD no.17 qua response of said garnishee has been filed and the said garnishee has received the copy of the same. Let copy of

same, if not supplied earlier, be supplied to decree holder. JD no 19 is also at liberty to file its response to the affidavit of garnishee no. 56, before next date, with copy to said garnishee and the decree holder.

Learned counsel for Garnishee no.12,13,14 and 20 seeks some more time to file rejoinder to the reply of JD no.19. Let response/rejoinder, if any, be filed within seven days from today with copy to decree holder as well as concerned garnishee. The reply to interrogatories served by DH be filed by the said garnishees in terms of previous order with copy to the DH.

At request, copy of responses of JD concerned to the affidavit of garnishee no.7 be supplied to concerned garnishee through email.

It is stated by Ms. Sahiba Singh, Adv. (Enrl. No.D/2088/16) that she is appearing on behalf of garnishee no.26 and that vakalatnama will be filed at the earliest. At request, affidavit and documents, in terms of directions of the Hon'ble Court vide order dated 11.10.19 & 14.11.2019 be filed by said garnishee within one week from today with copy to concerned judgment debtor as well as to decree holder, who may file rejoinder/response thereto, if any, within five days with copy to opposite side.

It is stated by learned counsel for garnishee no.11 that appropriate affidavit in response to the interrogatories served upon the decree holder will be filed in one day. Let needful be done as stated with copy to decree holder.

In as much as the time before the undersigned is short, the hearing of the matter is being expedited.

Let documents/reply, if not already filed, be filed by garnishees

in terms of directions of the Hon'ble Court vide order dated 11.10.2019 & 14.11.2019 within three days from today with copy to respective JD and DH. The DH and respective JDs are at liberty to file their responses to the same within five days of receipt of the advance copy of the said affidavits.

It is clarified that all judgement debtors are at liberty to inspect the court record and file response to the garnishee concerned with the said JD, within five days from today with copy to concerned garnishee as well as to the decree holder.

Re-notify the matter for completion of pleadings, compilation of report and awaiting the requisite application, if any, for 07.09.2020 at 11.30 a.m.

Copy of order be sent to learned counsel for the parties through Whatsapp/email, if said contacts are available on record.

SHARAD GUPTA (DHJS)
JOINT REGISTRAR (JUDICIAL)

SEPTEMBER 03, 2020/ab