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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. Shoeb Alam, Mr. Amit K. Mishra, Mr. Mohit Singh, Ms. Samridhi Hota, Ms. Kanika Singhal, Mr. Shivam Pandey, Mr. Turab Ali Kazmi, Ms. Saloni Agarwal, Mr. Kunal Chatterji, Mr. Aditya Shankar & Mr. Rohan Jaitley, Advs. for Decree Holder

Versus

MALVINDER MOHAN SINGH AND ORS. Judgement Debtor

Through Ms. Suman Yadav, Mr. Aditya Sarin & Mr. Shobhit Ahuja, Advs. for JD-1,3,4&13
Ms. Devina Sehgal, Adv. for JD no.16&17
Mr. Tejveer Singh & Mr. Lakshay Laroiya, Advs. for Garnishee no.11
Ms. Ferida Satarawala Chopra, Mr. Aashish Gupta & Ms. Sadika Gulati Advs. For Garnishee no.12,13,14, 20&32
Ms. Archana Lakhota, Adv. for Garnishee no.27&28
Mr. Saleem Hasan & Mr. Rohit Dahiya, Advs. For Garnishee no.52
Mr. Sumit Sahni, Adv. for Prime Trust
Mr. L. K. Giri, Adv. for Garnishee R. W. L. Healthworld Ltd.
Mrs. Lucky Palta & Mr. Harsh Gurbani, Adv. for Mr. P. K.

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Chaudhary (Ex. Director of Zoltan Properties, Garnishee no.55)
Advs. Sonal Gupta & Manu Bajaj for ICICI Bank
Mr. Pratyush Miglani, Mr. Nikhil Varma & Ms. Sanaa Parvez, Advs. For M/s Ramchem Pvt. Ltd.
Mr. Sandeep Das, Mr. Sidharth Sharma & Ms. Aishwarya Singh, Advs. For Religare Finvest Ltd.

CORAM:

SHARAD GUPTA (DHJS), JOINT REGISTRAR (JUDICIAL)

ORDER

% **04.01.2021**

The matter has been taken up through video conferencing in terms of directions vide Circular no.465/RG/DHC/2020 dated 30.09.2020, Circular no.500/RG/DHC/2020 dated 08.10.2020 and Circular No.7974/I/ORG/DHC/2020 dated 28.11.2020.

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

Today the matter is listed for conclusion of arguments/compilation of report qua garnishee no. 1 to 56 in IA no.14553 of 2018 and qua garnishee no. 1 to 10 in EA No.809/2020.

It is stated by learned counsel for garnishee no.24 that initial affidavit on behalf of said garnishee was filed vide diary no.5501 dated 03.01.2021. However, the same is not on record. Learned counsel undertakes to check up the same with the registry and get the same placed on record. At request, copy of same be supplied to learned counsel for judgment debtor no.17&19. Learned counsel for

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garnishee no.24 also submits that documents were received by him on 29.12.2020 itself and such the detailed affidavit could not be filed. *Per contra*, learned counsel for decree holder submits that documents have been sent to learned counsel for garnishee no.24 on 25.12.2020 and on 29.12.2020 it was intimated by learned counsel for garnishee no.24 that documents were not accessible on his system and hence the documents were again sent to him. Without going into the controversy, documents/affidavit on behalf of garnishee no.24, in terms of directions of the Hon'ble Court vide orders dated 11.10.2019 and 14.11.2019 be filed by said garnishee by next date with copy to concerned judgment debtor as well as to the decree holder.

At this stage, it is stated on behalf of Mr. P. K. Chaudhary stated to be ex director of garnishee no.55 that requisite affidavit had been re-filed on behalf of Mr. P. K. Chaudhary. The same is on record as per office noting, although it has not been scanned. Learned counsel for Mr. P. K. Chaudhary submits that she will address arguments on next date.

Arguments have been addressed on behalf of garnishee no.8 in EA No.809/2020. Learned counsel for garnishee no.8 submits that said garnishee had repaid the amount to M/s Oscar Investments. Clarifications in this regard are sought from judgment debtor no.19. It is stated on behalf of judgment debtor no.19 that learned counsel will

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take instructions and will clarify the issue regarding payment on next date.

There is no appearance on behalf of remaining garnishees in IA No.14553/2018 and in EA No.809/2020.

Re-notify the matter for conclusion of arguments on behalf of remaining garnishee from no.1 to 56 in IA No.14553/2018(who have not addressed arguments till date) and garnishee no.1 to 18 in EA No.809/2020 on 08.01.2021 at 12.00 p.m.

Copy of the order sheet be sent to garnishee who did not appear today, through counsel, except Garnishee no. 3,9,7,11,12,13,14,18, 20,22,24,26,27,28,30,31,32,34,39,40,43,44,47, 52 and 55 in IA No.14553/2018, as well as to garnishee no. 1 to 18 in EA no. 809/2020 through email/whatsapp, if said contacts are available on record.

SHARAD GUPTA (DHJS)
JOINT REGISTRAR (JUDICIAL)

JANUARY 04, 2021/ab