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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
Mr. Aditya Dewan & Mr.
Siddharth Chechani, Advs. For JD
no.6 to 8 and SHPL
Ms. Devina Sehgal, Adv. for JD
no.16&17
Mr. Tejveer Singh & Mr.
Lakshay Laroia, Advs. for Garnishee
no.11
Ms. Sahiba Singh, Adv. for Garnishee
no.26
Mr. Aditya Mehta & Mr.
Kartikey Nayyar, Advs. For Garnishee
no.46
Mr. Saleem Hasan & Mr. Rohit
Dahiya, Advs. For Garnishee no.52
Mr. I. K. Giri, Adv. for Garnishee
R. W. L. Healthworld Ltd.

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Mrs. Lucky Palta & Mr. Harsh Gurbani, Adv. for Mr. P. K. Chaudhary (Ex. Director of Zoltan Properties, Garnishee no.55)

Advs. Sonal Gupta & Manu Bajaj for ICICI Bank

Mr. Sandeep Das, Mr. Sidharth Sharma & Ms. Aishwarya Singh, Advs. For Religare Finvest Ltd.

Mr. Pratyush Miglani, Mr. Nikhil Varma & Ms. Sanaa Parvez, Advs. For M/s Ramchem Pvt. Ltd.

CORAM:

SHARAD GUPTA (DHJS), JOINT REGISTRAR (JUDICIAL)

ORDER

% **11.01.2021**

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.

Clarifications had been sought from judgment debtor no.8 regarding the issue of repayment of amounts owed by garnishee no.26. Learned counsel for judgment debtor no.8 submits that he will seek instructions and file appropriate affidavit. Let needful be done as

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stated within one day with copy to opposite side.

Arguments on behalf of Mr. P. K. Choudhary addressed. It is stated by learned counsel for P. K. Choudhary, stated to be ex director of garnishee no.55 that he had resigned on 18.05.2018 and was not the director on the relevant date on which order was made i.e. on 28.05.2019.

Per contra, Learned counsel for decree holder submits that the relevant date in this regard should be date of transaction which can be clarified by judgment debtor no.19 and judgment debtor no.16. Learned counsel for judgment debtor no.19 submits that clarifications can be furnished by judgment debtor no.16. Learned counsel for judgment debtor no.16 submits that she will take the instructions once copy of affidavit filed by judgment debtor no.19 is supplied to her. At request, copy of affidavit filed by judgment debtor no.19 be supplied to learned counsel for judgment debtor no.16 as well as learned counsel for Mr. P. K. Choudhary during the course of day against due acknowledgement. Clarifications be made by judgment debtor no.16 on next date.

Learned counsel for garnishee no.46 submits that as stated on last date an application for bringing on record the resolution plan approved by the Hon'ble NCLT will be filed shortly. Learned counsel is at liberty to proceed as per law and no further directions are

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warranted at this stage. Learned counsel for garnishee no.46 submits that he will supply copy of proposed IA to learned counsel for decree holder as well as to judgment debtor no.19.

At this stage, learned counsel for garnishee no.16 submits that the liquidation proceedings have been commenced qua garnishee no.16. Let copy of order of Hon'ble NCLT be filed within one day with copy to the decree holder.

Arguments have not been addressed by remaining garnishees.

Re-notify the matter for conclusion of arguments on behalf of remaining garnishee from no.1 to 56 in IA No.14553/2018 and garnishee no.1 to 18 in EA No.809/2020 (who have not addressed arguments till date) on 14.01.2021 at 12.00 p.m. It is clarified that in case arguments are not addressed by remaining garnishees, the report shall be compiled on the basis of material available on record. Copy of the order sheet be sent to garnishee who did not appear today, through counsel, 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 11, 2021/ab