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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ O.M.P.(EFA)(COMM.) 6/2016  
DAIICHI SANKYO COMPANY, LIMITED ..... Decree Holder  
Through: Mr. Giriraj Subramaniam, Senior  
Advocate with Ms. Samridhi Hota,  
Ms. A. Kaur, Ms. Astha Ahuja,  
Ms. Shyra Hoon, Mr. Tanmay Arora,  
Mr. Siddhant Juyal, Advocates.

versus

MALVINDER MOHAN SINGH AND ORS.  
..... Judgement Debtors  
Through: Mr. Sumit Goel, Mr. Ishan Ngar, Ms.  
Aditi and (Parekh and Co.),  
Advocates for ICICI Bank.  
Mr. Sachin Saini, Advocate for  
applicant/Local Commissioner.  
Mr. Aditya Dewan, Advocates for JD-  
6, JD-7 and JD-8.

**CORAM:**  
**HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI**

**ORDER**  
**30.01.2024**

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**EX.APPL.(OS) 154/2024**

By way of the present application filed on the principles of section 151 of the Code of Civil Procedure 1908, the Court Commissioner appointed *vide* orders dated 04.12.2023 and 15.12.2023 for conducting the sale of SRL Trademarks by public auction, seeks extension of his mandate on the ground that by reason of ill-health, he has been unable to complete the auction within the 06 week period stipulated in order dated 15.12.2023.



2. The applicant seeks permission to conduct the sale of the SRL Trademarks by public auction on 13.02.2024 between 11 AM to 02 PM at the address mentioned in the application.
3. Mr. Sachin Saini, learned counsel appearing for the applicant submits, that in compliance of order dated 04.12.2023, the applicant had duly issued the requisite proclamation to be published for the auction; and since the proclamation is not older than 30 days from the proposed date of auction, no fresh proclamation is required in terms of Order XXI Rule 69 (2) of the Code of Civil Procedure, 1908.
4. Issue notice.
5. Learned counsel appears on behalf of the decree holder on advance copy; and accepts notice.
6. Counsel for the decree holder does not oppose the prayer made in the application.
7. Upon a combined reading of orders dated 04.12.2023 and 15.12.2023 it is seen that the learned Court Commissioner was required to issue the proclamation as approved by this court *vide* order dated 15.12.2023; whereafter he was granted 06 weeks for carrying-out the auction beginning from that date.
8. In the circumstances, there is no impediment to extending the mandate of the learned Court Commissioner to carry-out and complete the sale of the SRL Trademarks by public auction, for which purpose he is granted another 06 weeks from the date of release of this order for completing the entire process of sale, in terms of the date of auction specified in the application.
9. The application is disposed-of in the above terms.



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10. Re-notify on 02<sup>nd</sup> April 2024, the date already fixed.

**ANUP JAIRAM BHAMBHANI, J**

**JANUARY 30, 2024/ak**

**(Released on February 03, 2024)**