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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. Arvind Nigam, Senior Advocate with Mr. Giriraj Subhramaniam, Ms. Samridhi Hota, Ms. Aagam Kaur, Ms. Astha Ahuja, Ms. Shrya, Mr. Tanmay Arora, Mr. Rohan Jaitley, Mr. Kunal Chatterji and Mr. Agnish Adtiya, Advocates.

versus

MALVINDER MOHAN SINGH AND ORS. .... Judgement Debtors

Through: Mr. Rajiv Nayar, Senior Advocate with Mr. Sanjeev Sharma, Mr. Vaibhav Kakkar, Ms. Samya Sud, Ms. Vaishali Goyal, Ms. M. Dasgupta, Ms. Akshita Sachdeva, Ms. Vaishnavi Bansal, Advocates.  
Mr. Aditya Dewan, Advocate for JD-6 to 8 *via* video-conferencing.  
Ms. Devina Sehgal, Advocate in EX.APPL.(OS) Nos. 1525/2023 and 1361/2021.  
Mr. Harsheen Palli and Mr. Chritarth Palli in EA(OS) 659/2023 and EA(OS) 679/2023 *via* video-conferencing.

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



## **ORDER**

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**20.02.2024**

### **EX.APPL.(OS) 1373/2023 in E. A. 819/2020**

By way of the present application filed under Order 1 Rule 10 read with section 151 of the Code of Civil Procedure 1908 ('CPC'), M/s J. C. Flowers Asset Reconstruction Private Limited, acting in their capacity as trustees of JCF Yes Trust 2022-23/3 seeks to be impleaded in E.A. No.819/2020, submitting that *vide* Assignment Agreement dated 16.12.2022 the applicant has been assigned the term loan facility extended by Yes Bank Ltd. to judgment-debtor No.14, *i.e.* Oscar Investments Limited.

2. It is accordingly submitted that the applicant is a necessary party in E.A. No.819/2020 since it has stepped into the shoes of Yes Bank Ltd.
3. Issue notice.
4. Learned counsel appears for the award-holder; accepts notice; and submits that they do not oppose the impleadment of the present applicant in E.A. No. 819/2020.
5. In view thereof, the application is allowed.
6. M/s J. C. Flowers Asset Reconstruction Private Limited is impleaded as party-respondent No. 38 in E.A. No. 819/2020.
7. Let Amended Memo of Parties be filed within 02 weeks.
8. Application stands disposed-of.

### **I.A. 5552/2019**

### **I.A. 5553/2019**

9. By way of I.A. No. 5552/2019 and I.A. No. 5553/2019 filed under Section 51 read with Order 21 CPC, the award-holder seeks



attachment and sale of immovable properties bearing No. 26, Maulsari Avenue, Westend Greens, Rajokari, Delhi and 10, Maulsari Avenue, Westend Greens, Rajokari, Delhi respectively, in satisfaction of the award.

10. Notice on these applications was issued on 16.04.2019.
11. Reply dated 26.08.2019 has been filed on behalf of Luxury Farms Pvt. Ltd.
12. However, when the matter is called-out for hearing today, other than judgment-debtors Nos. 6 to 8, no one is present on behalf of the other contesting judgment-debtors.
13. The court has heard Mr. Arvind Nigam, learned senior counsel appearing for the award-holder and Mr. Aditya Dewan, learned counsel appearing for judgment-debtors Nos. 6 to 8.
14. Counsel are directed to file brief synopses of their respective submissions, alongwith a list of judicial precedents they seek to rely upon, not exceeding 03 pages, within 10 days; with copies to the opposing counsel.
15. For concluding arguments on these applications, re-notify on 11<sup>th</sup> March 2024.
16. It is made clear that only I.A. No. 5552/2019 and I.A. No. 5553/2019 will be taken-up on the next date.

**EX. APPL. (OS) 244/2024**

17. Re-notify on 15<sup>th</sup> April 2024, the date already fixed.

**EX. APPL. (OS) 181/2024**

18. Re-notify on 02<sup>nd</sup> April 2024 at 03:30, the date already fixed.



**CCP(O) 44/2023, EX.APPL.(OS) 1361/2021, EX.APPL.(OS) 659/2023, EX.APPL.(OS) 699/2023, EX.APPL.(OS) 669/2023, EX.APPL.(OS) 679/2023, EX.APPL.(OS) 756/2023, EX.APPL.(OS) 797/2023, EX.APPL.(OS) 1092/2023, EX.APPL.(OS) 1525/2023, EX.APPL.(OS) 278/2024, I.A. 9262/2018 and O.M.P.(EFA)(COMM.) 6/2016**

19. Re-notify on 15<sup>th</sup> May 2024.

**ANUP JAIRAM BHAMBHANI, J**

**FEBRUARY 20, 2024**

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