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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ O.M.P.(EFA)(COMM.) 6/2016 and EX.APP. (OS) 482/2024

DAIICHI SANKYO COMPANY, LIMITED Decree Holder
Through: Mr. Arvind K. Nigam, Senior Advocate with Mr. Giriraj Subramaniam, Mr. Nabik Syam, Ms. Samridhi Hota, Mr. Shivam Chanana, Ms. Astha Ahuja, Ms. Shyra Hoon, Mr. Tanmay Arora, Mr. Kunal Chatterji and Mr. Agnish Aditya, Advocates.

versus

MALVINDER MOHAN SINGH AND ORS. Judgement Debtors
Through: Mr. Rajiv Nayar, Senior Advocate with Ms. Shyel Trehan, Mr. Gaurav Vutts, Mr. Pranav Sarthi, Ms. Krushi Barfiwala, Mr. Hitesh Jain, Mr. Vignesh Raj, Ms. Shivalika and Ms. Manjeera Das Gupta, Advocates for One Qube Realtors Pvt Ltd.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **29.05.2024**

EX.APPL.(OS) 481/2024

While disposing-of this application by way of order dated 21.03.2024, this court had directed issuance of a precept under section 46 of the Code of Civil Procedure, 1908 for attachment of the property referred to in that order. The court had further directed that a copy of that order be forwarded by the Registry to the Registrar/Prothonotary and Senior Master of the High Court of Judicature at Bombay for execution.



2. However, it transpires that by reason of inadvertence on the part of the Registry, the precept was forwarded to the Court of Small Causes, Mumbai; which court has, *vide* order dated 03.05.2024, expressed inability to execute the precept, recording that it is not the court of competent jurisdiction.
3. In this backdrop, the Registry of this court has subsequently received communication dated 13.05.2024 from the Prothonotary and Senior Master of the High Court of Judicature at Bombay, stating that though they have received a copy of the order, they have not received the original precept. The Prothonotary and Senior Master of the High Court of Judicature at Bombay has accordingly requested a copy of the original precept.
4. In view of the above, the Registry is directed to issue a precept in terms of order dated 21.03.2024 for attachment of property bearing Flat No. C-4/5, 1st Floor, Taj Building, 210, D.N. Road, Fort, Mumbai, Maharashtra; and to forward the original precept alongwith a copy of this order as well as of order dated 21.03.2024 to the Prothonotary and Senior Master of the High Court of Judicature at Bombay.
5. The Registry is also directed to issue a copy of the precept alongwith a copy of this order as well as of order dated 21.03.2024 to the decree-holder, who may additionally forward the same to the Prothonotary and Senior Master of the High Court of Judicature at Bombay through all permissible modes, including *dasti*.
6. Let the needful be done within 02 weeks.
7. Application stands disposed-of.



EX.APPL.(OS) 181/2024

8. By reason of certain constraints, this court is unable to hear this application today.
9. Re-notify on 08th July 2024, in the post-lunch session.
10. Let *this application* be treated as 'part-heard'.

ANUP JAIRAM BHAMBHANI, J

MAY 29, 2024/ak