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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 K. Nigam, Senior Advocate with Mr. Giriraj Subramaniam, Mr. Nabik Syam, Ms. Samridhi Hota, Mr. Shivam Chanana, Ms. Anindita Barman, Ms. Astha Ahuja, Ms. Shryra Hoon, Mr. Tanmay Arora, Mr. Kunal Chatterji and Mr. Angish Aditya, Advocates.

versus

MALVINDER MOHAN SINGH AND ORS. Judgement Debtors
Through: Mr. Rajiv Nayar, Senior Advocate, Ms. Shyel Trehan, Mr. Gaurav Vutts, Mr. Pranav Sarthi, Ms. Krushi Barfiwala, Mr. Hitesh Jain, Mr. Vignesh Raj, Ms. Manjira Dasgupta, Ms. Shivalika Rubrabatla, Ms. Vidhi Jain, Ms. Apoorva Singh and Ms. Prachi Dhingra, Advocates for applicant One Qube Realtors.
Ms. Devna Sehgal, Advocate for JD-16 and 17.
Mr. Jayant Mehta, Senior Advocate with Mr. Debarshi Dutta, Mr. Saurav Agarwal, Mr. Rajat Pradhan, Mr. Arjun Mookurjee, Advocates in EX.APPL.(OS) 1605/2024.

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER
19.11.2024

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EX.APPL.(OS) 181/2024

Mr. Rajiv Nayar, learned senior counsel appearing for the applicant/One Qube Realtors Pvt. Ltd. has concluded his submissions in relation to the factual matrix of the matter.

2. Mr. Nayar has handed-up Affidavit dated 09.10.2024 executed on behalf of the applicant setting-out an explanation as to the valuation of the subject property, which issue had come-up in the course of submissions in the matter.
3. A copy of the affidavit has been served upon learned counsel for the decree-holder.
4. With the consent of learned counsel for the decree-holder, the affidavit is permitted to be filed under cover of an index.
5. Written submissions have already been filed on behalf of the decree-holder. As requested by Mr. Nayar, the applicant is at liberty to place on record additional written submissions summarising their arguments within 01 week; with copy to the opposing counsel.
6. For clarifications, if any, re-notify on 11th December 2024, in the post-lunch session.

EX.APPL.(OS) 1605/2024

7. Mr. Jayant Mehta, learned senior counsel appearing for the applicant submits, that the decision in EX.APPL.(OS) No. 181/2024 may affect the rights of the applicant as a secured creditor in relation to the subject property.
8. It is observed that the main matter is pending before the Roster Bench; and it is only EX.APPL.(OS) No. 181/2024 which was retained by this Bench as part-heard.



9. Mr. Mehta however submits, that the present application had been filed in the main matter and was transferred to this court by the Roster Bench *vide* order dated 04.10.2024.
10. In the circumstances the present application is kept pending at this stage.

ANUP JAIRAM BHAMBHANI, J

NOVEMBER 19, 2024
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