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

# **CNR No. DLHC011617592015**

+ **CO.PET. 222/2015 & CO.APPL. 304/2025, CO.APPL. 656/2025,  
OLR 195/2019 OLR 8/2025**

**TAWAKKAL WOOD PRODUCTS PVT LTD** .....Petitioner

Through:

versus

**SURYANSH ALLOYS AND STEELS PRIVATE LIMITED**

.....Respondent

Through: Mr. Amit Agrawal Advocate and Ms  
Akanksha Chauhan Advocate for OL.  
Mr. Shubhendu Bhattacharyya, Adv  
for applicant in CA304-25 & 656-25

**CORAM:**

**HON'BLE MR. JUSTICE ANISH DAYAL**

**ORDER**

% **13.08.2026**

**CO.APPL. 772/2025 (condonation)**

1. This application has been filed seeking condonation of delay of *15 days* in filing the reply.
2. For the reasons stated in said application, the delay of *15 days* in filing the reply stands condoned.
3. Reply of the Official Liquidator [**'OL'**] in *CA. No. 656/2025* is taken on record.
4. Application stands disposed of, accordingly.

**CO.APPL. 305/2025 (Exemption)**

1. Exemption allowed subject to all just exceptions.
2. Application is accordingly allowed.



**CO.APPL. 656/2025**

1. This application has been moved by the applicant, namely, *Nitin Chauhan*, seeking issuance of directions to the OL to execute the sale deed in favour of the applicant's nominee, *Mr. Gaurav Mittal*.
2. The applicant is the auction purchaser of the property, being *Khata Khatauni No. 95/163*, bearing *Khasra Nos. 177/96, 176/96 and 175/96* (earlier *Khata Katauni No. 83/152, 82/151, 81/150* bearing *Khasra Nos. 177/96, 176/96 and 175/96*), located at *Waka Mauja Village Nihargarh, Industrial Area, Tehsil - Paonta Sahib, District Sirmour, Himachal Pradesh*, of the company in liquidation.
3. The auction was conducted through the e-auction agency, *Railtel Corporation of India Ltd.* on 30<sup>th</sup> November 2021. Reserve price was fixed, but no bids were received. Subsequently, another auction was conducted, however, yet again, no bids were received. The reserved price was reduced to *Rs. 2,58,44,940/-*.
4. The applicant emerged as the successful purchaser with a bid of *Rs. 3,79,92,043/-*. The sale was confirmed by this Court, and the entire sale consideration was paid. Possession of the subject property was handed over on 04<sup>th</sup> June 2024. Therefore, the applicant now seeks execution of the sale deed in favour of his nominee, *Mr. Gaurav Mittal, s/o Ram Kumar Mittal, VTC : Ochh (592), PO : Oachghat, Sub District : Solan, District Solan, Himachal Pradesh- 173223*.
5. *Mr. Amit Agrawal*, counsel appearing for the OL, states that they have filed a reply in this regard, stating that they no objection, subject to the condition that the sale deed may be executed in favour of the nominee on an “*as is where is whatever there is basis*” and further that the nominee would



be deemed to have satisfied himself in all respect as regards the title, encumbrances, boundary, description, quality, quantity and volume etc. and would be deemed to have full knowledge as to the description, area etc. of the properties and defects thereof. The nominee shall not be entitled to claim any compensation, deduction in price and shall be deemed to have purchased the property subject to all encumbrances, liens, claims including those under existing legislation affecting labour, staff etc. It was further stated that the OL shall not entertain any complaint in this regard. All past, present and future liabilities, dues, demands, revenue, duties howsoever called and whether statutory or non-statutory shall be borne by the nominee alone. It was further stated that the OL shall not provide any guarantee and/or warranty in respect of the immovable properties as to the quality, quantity or specification thereof.

6. *Mr. Shubhendu Bhattacharyya*, counsel for auction purchaser/applicant, states that there are outstanding dues towards the *Himachal Pradesh State Electricity Board* [***HPSEB***] amounting to about Rs. 51,00,000/-, which they seek clearance of by the OL before the sale deed is executed in their favour. This has been asserted by them in *CO.APPL. 304/2025*.

7. *Mr. Shubhendu Bhattacharyya*, counsel for auction purchaser/applicant, seeks time to address the Court on this issue.

8. *Mr. Amit Agrawal*, counsel for the OL, states that the auction was conducted on an “*as is where is whatever there is basis*” which is evident from *paragraph 4.1* of the terms and conditions of the sale notice.

9. Moreover, no claim or application has been filed by the HPSEB in this regard. In any event, even if such a claim is filed, it would be treated as



that of an unsecured creditor and would stand in queue.

10. In any case, he states, the company does not have funds to even disburse the claims of a secured creditor.

11. Moreover, *Mr. Amit Agrawal*, counsel for the OL, states that, having purchased the property on an “*as is where is whatever there is basis*”, the issue with HPSEB is one which needs to be dealt with by the auction purchaser.

12. List of dates, along with the status of the company, which had been handed over in the Court by *Mr. Amit Agrawal*, counsel for the OL, be placed on record.

13. The Registry shall place the same on the record of this Court.

14. List on 25<sup>th</sup> November 2026.

15. Order be uploaded on the website of this Court.

**ANISH DAYAL, J**

**AUGUST 13, 2026/RK/ya**