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

+ **CS(OS) 1954/2009**

M/S FUTURISTIC REMEDIES LTD. & ORS.Plaintiff

Through: Mr. Arav Kapoor, Ms. Radhika Gupta,
Mr. Prajwal Chaturvedi and Mr.
Prateek Regmi, Advs.

versus

MR VIJAY DIXIT

.....Defendant

Through: Ms. Diksha Goswami, Adv for D-1.
Mr. Divyakant Lahoti, Mr. Kartik
Lahoti, Ms. Anushka Awasthi, Advs.
for D-2
Mr. Sourav Agarwal, Mr. Ayush
Kumar, Mr. Mrigank Kumar and Mr.
Ayush Khare, Advs. for D-3

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

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15.01.2025

I.A. 5724/2024 (EXEMPTION)

1. Plaintiffs shall file original/ legible/ typed/ certified copies of exempted documents, compliant with practice rules, before the next date of hearing.
2. The application for exemption is allowed, subject to the plaintiff granting inspection of the documents filed, as and when required to do so, or filing the original documents at the stage of admission/denial.
3. The application stands disposed of.

CS(OS) 1954/2009 and I.A. 12615/2018(application on behalf of the plaintiff under Order 39 Rule 2A r.w.s 151 of CPC), I.A. 5723/2024



(application on behalf of the plaintiff under Order 39 Rule 1 & 2 r.w.s 151 of CPC seeking interim relief)

4. Learned counsel for the parties are directed to place on record comprehensive written submissions along with relevant decisions to assist this Court as to whether the power under Order XXXIX Rule 2A of the Code of Civil Procedure, 1908 to cancel the sale deed executed in contempt of orders passed by this Court, can still be exercised when the property in question is part of ongoing Insolvency & Bankruptcy proceedings and a moratorium under Section 14 of the Insolvency & Bankruptcy Code, 2016, has been declared by the NCLT.
5. Learned counsel for the parties are at loggerheads with respect to the aforesaid submission.
6. The aforesaid issue shall have far-reaching consequences and deserves to be adjudicated after extending the parties full opportunity to make their submissions.
7. Accordingly, list this matter on 19.02.2025.
8. Interim order to continue.

PURUSHAINDR KUMAR KAURAV, J

JANUARY 15, 2025

aks/mjo