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

+ CO.PET. 829/2016

APPL INDUSTRIES LTD.

..... Petitioner

Through

versus

LUMAX AUTOMATIVE SYSTEM LTD. Respondent

Through

Mr.Shubhendu Bhattacharyya, Adv. for the
OL.

Mr.Udit Sharma and Mr.Ajay Pratap Singh,
Advs. for Honda Motor.

Mr.Sangram Patnaik, Ms.Rukmini
Mukherjee and Ms.Shankari Mishra, Advs.
for the Ex.Directors.

Mr.Ajay Bahl, Mr.Lalit Bahl and Mr.Vikas
Sharma, Advs. for IDBI Bank.

Mr.Umesh Mishra, Adv. for applicant in CA
374/2019.

Ms.Ramni Taneja, Adv. for Maharashtra
Industrial Development Corporation in CA
353/2019.

Mr.Chirag Khurana, Advs. for applicant in
CAs. 352-353/2019.

Ms.Mrinalini, Ms.Anju Jain and Mr.Hitesh
Sachar, Advs. for secured creditor-Syndicate
Bank.

Mr.Rohit Puri and Ms.Pragya Puri, Advs.
with Mr.Anwar Hussain, AR of the
applicant in CA 299/2019.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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15.07.2019

CA Nos.352-353/2019

Learned counsel has entered appearance for Maharashtra Industrial
Development Corporation. Despite service of advance notice none has



appeared for Maharashtra State Electricity Distribution Company Ltd. This is despite service of notice also on Resident Commissioner, State of Maharashtra.

List on 29.08.2019.

CA Nos.374-375/2019

These applications are filed by M/s SS4 Safenet Security Services against their outstanding bill for the period from December, 2017 to December, 2018. This prayer is already allowed in CA No.511/2019 on 15.05.2019. The application is infructuous and disposed of.

CA No.299/2019

The learned counsel for the OL seeks sometime to file a report. Needful be done before the next date of hearing.

List on 24.09.2019.

CA No.685/2018

This application is filed seeking grant of leave to applicant to initiate and pursue the application under section 11 of the Arbitration and Conciliation Act, 1996 and other consequential proceedings.

The case of the applicant is that an agreement for Factoring of Receivables dated 16.03.2019 was executed between the applicant and respondent No.1. It is stated that there are three guarantors of the said agreement, namely, Mr.Umesh Kumar Jain, Mr.Nitin Jain and Mr.Kamlesh Jain.

Learned counsel appearing for the guarantors seeks some time to file a reply.

As there is no adjudication being carried out of the rights of the guarantors, I do not see any purpose to give time to the Ex.Directors to file a



reply.

The application is allowed. However, in case any decree/award is passed against respondent No.1 company, the same shall not be executed without prior permission of the court.

CA No.1208/2018

The OL will file a response to this application before the next date of hearing.

List on 24.09.2019.

CA No.684/2019

By this application, the applicant seeks stay of all the litigations which have been initiated by employees/workmen, a list of which is attached as Annexure 3 of this application, till leave under section 446 of the Act is obtained.

The OL may take steps in this regard as per law.

The application stands disposed of.

JAYANT NATH, J.

JULY 15, 2019/v