

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.12.2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

A.No. 4013 of 2025

in

A. No. 5824 OF 2023

Bharat Heavy Electrical Limited
Represented through its
Chairman and Managing Director,
Having its office at BHEL House,
Sri Fort, New Delhi - 110 049.

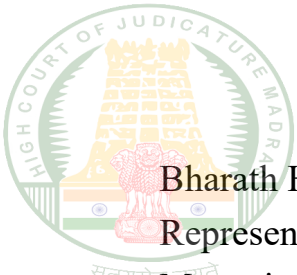
Applicant(s)

Vs

M/s. DPC Engineering Projects Pvt., Ltd.,
Represented by its Director,
Having registered office at No.11/41C,
Corporation Road, Perungudi,
Chennai - 600 096.
Also having at G2, 38, Old No.73, Second
Main Road, Gandhi Nagar, Adayar,
Chennai - 600 020.

Respondent(s)

A No. 5824 of 2023



Bharath Heavy Electrical Limited
Represented through its Chairman and
Managing Director, Having its office at
BHEL House, Sri Fort,
New Delhi - 110 049.

Petitioner(s)

Vs

M/s. DPC Engineering Projects Pvt., Ltd.,
Represented by its Director, Having
registered office at No.11/41C, Corporation
Road, Perungudi, Chennai - 600 096. Also
having at G2, 38, Old No.73, Second Main
Road, Gandhi Nagar, Adayar,
Chennai - 600 020.

Respondent(s)

For Applicant(s): Mrs.Mithreyi Kasthurirangan

ORDER

At the instance of the learned counsel for respondent, the matter
has been listed under the caption “for being mentioned” today.

2. It is brought to the notice of this Court by the learned counsel for
the respondent that in addition to the address of the respondent already given,



the following address of the respondent should be incorporated in the order passed by this Court on 07.11.2025 :-

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***Mr.Sanjay Kumar, Managing Director, Innvov,
8 Millenia, 2F RMZ, Millenia, CIA No.143, MGR
Road, Perungudi, Kanchipuram, Saidapet, TN-96***

3. The Registry is directed to carry out the necessary correction and issue fresh order copy.

03.12.2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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To

M/s. DPC Engineering Projects Pvt., Ltd.,

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N.ANAND VENKATESH J.

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A.No. 4013 of 2025

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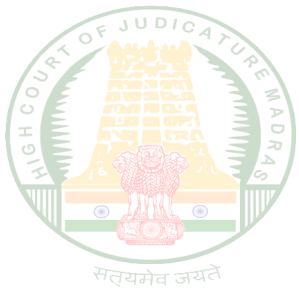
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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

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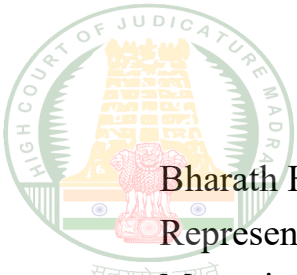
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Respondent(s)

For Applicant(s): Mrs.Mithreyi Kasthurirangan

ORDER

Pursuant to the order passed by this Court on 17.10.2025, paper publication has been effected and affidavit of service has been filed. The name of the respondent has also been printed in the cause list. There is no appearance either in person or through counsel.



2. A.5824 of 2023, came up for hearing on 01.10.2024, this Court passed the following order:

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Service has been directed to be effected by way of substituted service by order dated 08.08.2024.

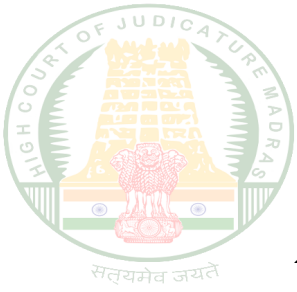
2. In spite of proof of such publication being made, the respondent had not appeared before this Court. The Registry was also directed to print name of the respondent in the cause list.

3. Today, when the matter is taken up for hearing, there is no representation on behalf of the respondent, either in person or through counsel.

4. The present application had been filed to furnish the details of movable and immovable assets, including the Statement of Bank Accounts, Demat Accounts and Income Tax Returns to enable the applicant/decreed holder to proceed with the execution petition that had been filed pursuant to the Award dated 13.02.2017.

5. Since the respondent/judgment debtor had not taken any steps to represent himself before this Court, I am inclined to hold that he had not been diligently prosecuting the matter. In fine, this application as prayed for, is allowed. The respondents are directed to furnish the following documents within a period of eight (8) weeks from the date of receipt of a copy of this order :

(i) the title documents of all assets (movable and immovable);



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(ii) *Statement of all Bank Accounts from the date of June 2010 to till date;*

(iii) *Statement of the Demat Accounts /Fixed Deposits / Shares / Debentures;*

(iv) *Income Tax Returns and Balance Sheets filed by the respondent with the Income Tax Authorities for the financial years April, 2010 to till date.*

There shall be no order as to costs.

3.The said application was again listed for hearing on 26.11.2024 and this

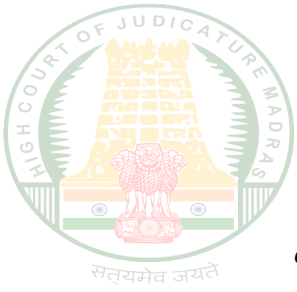
Court passed the following order:

This Court vide order dated 01.10.2024, allowed this application and directed the respondent to furnish the following documents within a period of eight (8) weeks from the date of receipt of a copy of that order: (i) Title Documents of all assets (movable and immovable);

(ii) Statement of all Bank Accounts from the month of June, 2010 to till date;

(iii) Statement of Demat Accounts / Fixed Deposits / Shares / Debentures; and

(iv) Income Tax Returns and Balance Sheets filed by the respondent with the Income Tax Authorities, for the Financial Year April, 2010 to till date.



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2. On 01.10.2024, when this application was taken up for consideration, there was no representation on behalf of the respondent. Even today, there is no representation for the respondent.

3. The learned counsel appearing for the applicant submitted that despite the direction issued by this Court in order dated 01.10.2024, the respondent has not yet furnished the aforesaid documents.

4. Upon perusing the earlier order dated 01.10.2024 passed by this Court, I find that this Court has directed that the respondent shall furnish the aforesaid documents, within eight weeks from the date of receipt of the order copy. Since there is no representation on behalf of the respondent, it is not known whether the respondent has received a copy of the said order.

5. The learned counsel for the applicant is directed to serve private notice on the respondent through registered post as well as e-mail.

6. List the matter on 10.12.2024.

4. When the said application was listed on 10.12.2024, this Court directed the Registry to number the Execution Petition, if it is otherwise in order.



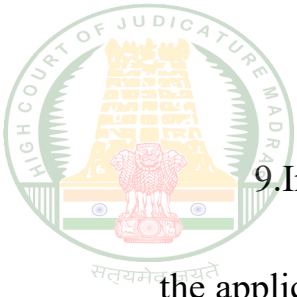
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5.The petitioner filed A.No.4013 of 2025 under Order XXI Rule 41(3) of CPC, 1908 for arrest and detention of the judgement debtor in civil prison for disobeying the order dated 01.10.2024. In this application, notice was ordered to the respondent on 14.8.2025 and private notice was also permitted. The application was listed for hearing on 19.09.2025 and an affidavit of service was filed to the effect that the private notice that was sent to the respondent has been returned with an endorsement 'door locked'. Service was awaited insofar as the notice that was sent through Court.

6.The application was against listed for hearing on 26.9.2025 and it was informed to this Court that the notice that was sent through Court was also returned with an endorsement 'vacated'.

7.In view of the above, this Court by an order dated 17.10.2025, ordered for paper publication.

8.The paper publication has been effected and affidavit of service has been filed before this Court.



9. In the case in hand, the award amount remains unsatisfied till date and the applicant wants to execute the award and for that purpose, the applicant was seeking for the details of the assets of the respondent. A direction was issued by this Court to the respondent to provide the necessary details and the said direction has not been complied with. In spite of the best efforts taken to serve the notice on the respondent, the same has been returned. Left with no other option, paper publication was effected and the name of the respondent has also been printed in the cause list and there is no appearance on the side of the respondent either in person or through counsel.

10. In view of the above, it is seen that there is wilful disobedience on the part of the respondent to comply with the order passed by this Court under Order 21 Rule 41 (2) of CPC. As a consequence, this Court has to necessarily pass an order under Order XXI Rule 41(3) of CPC, 1908, to detain the Director of the respondent Company viz., Mr. Sanjay Kumar in civil prison for a period of three months.



11. Accordingly, this application stands allowed and the applicant is directed to take further process to implement this order.

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07-11-2025

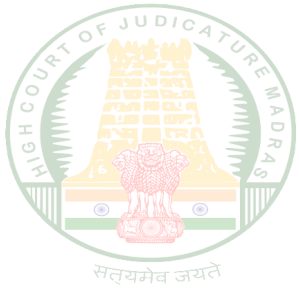
Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

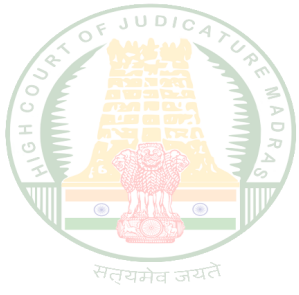
Neutral Citation: Yes/No

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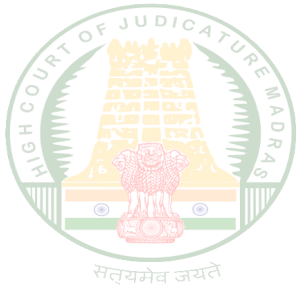
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