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Application No.5251 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

Application No.5251 of 2024

in

E.P.Dr.No.106231 of 2024

Gail India Limited
“GAIL” Bhavan, 16, Bhikaji Cama Place,
R.K.Puram, Ring Road,
New Delhi 110 066.

Applicant

Vs

M/s.Silk Road Sugar Private Limited,
(Now known as Parry Sugars Refinery India
Private Limited),
represented by its Director,
“Dare House”, 234, N.S.C. Bose Road,
Chennai 600 001.

Represented by its Director,



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Lalitha Balakrishnan

“Dare House”, 234, N.S.C. Bose Road,
Chennai 600 001.

Represented by its Director,
Suresh Kannan

“Dare House”, 234, N.S.C. Bose Road,
Chennai 600 001.

Represented by its Director,
Murugappan Muthiah Venkatachalam
“Dare House”, 234, N.S.C. Bose Road,
Chennai 600 001.

Represented by its Director,
Padmanabhan Nagarajan
“Dare House”, 234, N.S.C. Bose Road,
Chennai 600 001.

Represented by its Director,
Srinivasan Suresh
“Dare House”, 234, N.S.C. Bose Road,
Chennai 600 001.

Represented by its Director,
Sridhar Adepalli
“Dare House”, 234, N.S.C. Bose Road,
Chennai 600 001.

Respondent



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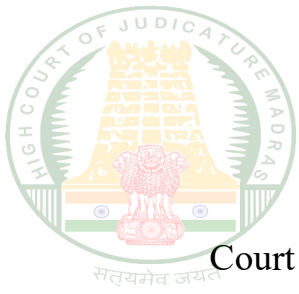
For Applicant : Mr.Ajmal Khan, Senior Counsel
for M/s.T.V.Sai Srujan Tayi
assisted by Ms.Pooja Jain
for Giridhar and Sai

For Respondent : Mr.Rahul Balaji

ORDER

Learned Senior Counsel appearing on behalf of applicant/decreed holder submitted that the proceedings before the Delhi High Court is being protracted by the respondent/judgment debtor and therefore, he is pressing this application and requested this Court to direct the respondent/judgment debtor to file an affidavit by disclosing their assets.

2. *Per contra*, learned counsel for respondent/judgment debtor submitted that the award has been put to challenge before the Delhi High



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Court in O.M.P.(Comm) No.390/2017. Learned counsel further submitted that there was an understanding between the parties that the respondent/judgment debtor will not press the said petition and that the main petition itself will be taken up for final hearing. Recording the same, an order was passed by the Delhi High Court on 21.04.2025. The matter was again listed for hearing on 30.07.2025 on which date, the Court issued directions to both parties to keep a hard copy of the records ready to be presented at the time of hearing. Again, the matter was adjourned to 10.11.2025. When the petition was taken up for hearing on 10.11.2025, adjournment was sought for on behalf of the applicant/decreed holder herein and hence, the matter has been adjourned to 23.03.2026. In view of the same, it was contended that the applicant/decreed holder cannot be permitted to parallelly move the execution petition when there is already an understanding between the parties before the Delhi High Court.

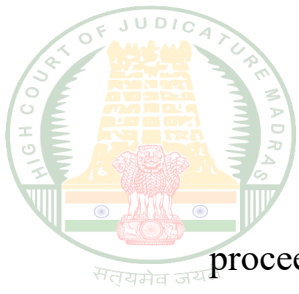


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3. In reply, learned Senior Counsel appearing for applicant/decreed holder submitted that there is no such understanding between the parties and the same is not reflected in the order passed by the Delhi High Court on 21.04.2025.

4. In the considered view of this Court, if the parties have an understanding before the Delhi High Court, consistency has to be maintained and the same understanding must continue even before this Court. This Court does not want to go into the dispute as to who was responsible for the petition getting adjourned and protracted. If the applicant/decreed holder is inclined to press for the present execution petition, it is left open to the respondent/judgment debtor to move an interlocutory application before the Delhi High Court and revive their claim for stay of the



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proceedings. If, on the other hand, the parties are willing to wait for completion of proceedings, this application can be kept pending.

5. Learned Senior Counsel appearing for the applicant/decreed holder submitted that the application has been filed seeking a direction to respondent/judgment debtor to disclose their assets and therefore, no prejudice will be caused if such an affidavit is filed by the respondent/judgment debtor.

6. In the considered view of this Court, such an application will be filed only in the course of proceeding further with the execution petition. Therefore, it is the first step towards executing the award and therefore, if there is an understanding between the parties before the Delhi High Court even the first step cannot be permitted to happen. In the light of the clarity given by this Court, it is left open to both parties to take a decision and



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report before this Court.

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Post this application on 18.12.2025.

04.12.2025

gm

N. ANAND VENKATESH., J

gm



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