

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

Date of Reserve: 27.7.2009
Date of Order: 4th August, 2009

OMP No. 483/2008

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04.08.2009

SAN-A Trading Co. Ltd.

... Petitioner

Through: Mr. Sachin Datta, Ms. Lakshmi
Ramamurthy and Ms. Shiela Arora, Advocate

Versus

I.C.Textiles Ltd.

... Respondents

Through: Mr. Yoginder Handoo, Advocate

JUSTICE SHIV NARAYAN DHINGRA

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporter or not?
3. Whether judgment should be reported in Digest?

ORDER

This application has been made by the petitioner under Section 9 of the Arbitration and Conciliation Act, requesting the Court to appoint a Court Receiver to take custody of the concerned machines and the Receiver, so appointed should give a report about the conditions of the concerned machines and the Court should pass directions for safe custody of preservation of machines.

2. The petitioner by an interim award of the Arbitrator has been allowed to repossess the machines lying at the premises of the respondent. I consider that in view of the order passed by the learned Arbitrator for repossession of the machines, this Court need not appoint a Receiver to take custody of the machines since the custody of the machines is to go to the petitioner. This Court also need not pass an order for keeping the safe custody of machines and preservation of machines for the same reason. It is for the petitioner to repossess the machines and keep them in safe custody in terms of the award. However, the petitioner may move the Court if necessary, if there is any resistance in taking over possession of the machines.

With these directions, this petition is disposed of.

August 04, 2009
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SHIV NARAYAN DHINGRA, J.