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

+ EX.P. 4/2002 & EAs No.514/2009 (of objector u/O 21 R-58 CPC),
515/2009 (of objector u/S 151 CPC), 721/2009 (of objector u/O 21 R-
99 to 101 CPC) & 722/2009 (of objector u/S 151 CPC)

POLYCHEM LTD.,

..... Decree Holder

Through: None.

Versus

BHUSHAN GROVER

..... Judgement Debtor

Through: Mr. Arun Aggarwal, Adv. for
Objector Phoenix Arc Pvt. Ltd.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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26.10.2016

1. In these execution proceedings, EA No.514/2009 of Phoenix Arc Pvt. Ltd. which claims to have purchased the financial assets of Standard Chartered Bank (SCB) along with certain other applications also filed by the same Phoenix Arc Pvt. Ltd. are pending consideration.

2. The counsel for the objector Phoenix Arc Pvt. Ltd. states that in execution of money decree for Rs.35,24,805.57 paise, the property of the judgment debtor at J-9/45, Rajouri Garden, New Delhi double storey was sold and at the behest of the auction purchaser possession of the first floor of the said property taken.

3. It is stated that the said first floor had been mortgaged by the judgment debtor with ANZ Grindlays Bank which amalgamated with SCB and SCB in proceedings under the Securitisation and Reconstruction of

Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act), took possession of the property and was in possession of the property when the possession thereof was taken over in this execution. It is further stated that the objector Phoenix Arc Pvt. Ltd. is the assignee of SCB and was in possession of the said flat.

4. Between 24th October, 2016 and today, three attempts were made to hear but the counsel for the applicant does not have the pagination and the dates.

5. Instead of adjourning the matter, it is deemed appropriate to, in accordance with the Office Order dated 24th November, 2015 of Hon'ble the Chief Justice of this Court in exercise of powers under Section 4 of the Delhi High Court (Amendment) Act, 2015, transfer these proceeding to the Subordinate Courts.

6. Since the property qua which the dispute persists is situated at Rajouri Garden, New Delhi which is situated within the jurisdiction of District Judge (West), Tis Hazari Courts, Delhi, the file is transferred to the Court of the District Judge (West), Tis Hazari Courts, Delhi.

7. The objector Phoenix Arc Pvt. Ltd. to appear before the Court of the Additional District Judge / District Judge (West), Tis Hazari Courts, Delhi on 8th December, 2016.

RAJIV SAHAI ENDLAW, J.

OCTOBER 26, 2016

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