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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ EX.P. 110/2005 & EA No.604/2006 (under Section 22 of SICA)
PADU WADHWANI Decree Holder
Through: Mr. Sudipto Sircar & Mr. A.D.N.
Rao, Advs.

Versus

MID EAST (I) LTD. & ORS. Judgement Debtors
Through: Ms. Kavita Batra, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **15.11.2016**

1. Neither the counsel for the decree-holder Ms. Padu Wadhwani nor the counsel for all the four judgment-debtors know anything about the case.
2. A perusal of the file shows that execution is sought of the decree dated 19th November, 1998 of the High Court at Bombay in favour of decree-holder and against the judgment-debtors jointly and severally of recovery of money.
3. Notice of the execution petition was issued to the judgment-debtors.
4. EA No.604/2006 was filed by the judgment-debtors under Section 22 of Sick Industrial Companies (Special Provisions) Act, 1985. On 19th August, 2010 both counsels stated that the execution petition may be adjourned sine die in view of the “matter regarding revival is pending before the AAIFR.” Accordingly, the execution petition was adjourned *sine die* with liberty to the parties to revive the same.

5. Neither party applied for revival of the execution petition and the Registry of this Court of its own listed the execution petition on 10th December, 2015 when upon issuance of the court notice, the counsels have been appearing but taking adjournments to obtain instructions.

6. Neither counsel has any idea of the status of the judgment-debtors. It is also inexplicable as to why, if the decree was joint and several besides against the judgment-debtor no.1 also against the judgment-debtors nos.2 to 4 viz. Mrs. Rita Singh, Mr. J.K. Singh and Ms. Natasha Singh, execution is not sought to be proceeded against them.

7. It appears that the decree-holder is not interested.

8. Dismissed for non-prosecution.

No costs.

RAJIV SAHAI ENDLAW, J

NOVEMBER 15, 2016

‘gsr’..