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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **O.M.P.(I) (COMM.) 110/2016**
RELIANCE CAPITAL LIMITED

..... Petitioner

Through: None.

versus

**MANSHA INFRA AND CONSTT. PRIVATE LIMITED AND
ANR.**

..... Respondents

Through: Mr. J.P. Sengh, Sr. Adv. with Ms.
Gurkamal Hora Arora, Adv.

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER
% **06.05.2016**

IA 5676/2016

1. This application has been listed vide supplementary list on a mentioning made before the Hon'ble Judge In-charge in the morning. The prayer in the application is as under:-

“a. Direct the Receiver appointed by this Hon'ble Court to hand over the possession of the said equipment i.e. make LIEBHERR/LTM 1800 bearing registration No.MH-06W-4057, Chasis No. LI003897 & Engine No.9858500JEL05003 to the respondents during the pendency of the application bearing I.A. No.5455 of 2016 on Superdari till the disposal of the said I.A.;

b. Pass such other for further relief(s) as this Hon'ble Court may think deem fit and proper in the facts and

circumstances of the present case.”

2. Mr. J.P. Sengh, learned Senior Counsel for the respondents/applicants states, the necessity of filing the present application is, because of the communication dated May 4, 2016 (page 11) received from the contractor Pratibha Industries Ltd. He would state, if the contract is terminated, the petitioner is not going to gain; rather it would be difficult for the petitioner to repay the loan amount.

3. Mr. Sengh states that as the crane's possession has been taken over, the work has stopped, so is the payment from the contractor. He states, if the crane is released, there is a possibility that the contractor may release an amount of Rs.25 lakhs, which shall be paid to the petitioner in addition to Rs.30 lakhs.

4. Mr. Sengh prays for a short date in view of the communication dated May 4, 2016 of the contractor. Issue dasti notice to the petitioner and its counsel Mr. Rajat Katyal returnable on 10th May, 2016.

V. KAMESWAR RAO, J

MAY 06, 2016/ak