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

+ **FAO 180/2016 & C.M. 15292/2016**

M/S VOLKSWAGEN FINANCE PVT LTD. Appellant

Through: **Mr.Sanjeev Sagar, Advocate**

Versus

N N PROJECT LTD.

..... Respondent

Through: **Nemo.**

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

19.09.2016

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Impugned order declines appellant's request for appointment of receiver and for injunction, which is under challenge by way of this appeal.

Vide interim order of 3rd June, 2016, appellant's prayer for appointment of a receiver was allowed and appellant was permitted to repossess the vehicle in question. However, notice of the appeal was issued to the respondent. Notice sent to respondent has been received back with the report '*premises of the respondent are sealed*'.

Learned counsel for appellant informs that the respondent's premises has been sealed by HDFC Bank under *The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002*.

The fresh address furnished by appellant was of Director of the

respondent. Notice sent to Director of the respondent has been received back with the report '*left*'.

Learned counsel for appellant submits that no other address of respondent's Director is available with the appellant.

Be that as it may. Since the relief sought by appellant is already granted vide interim order of 3rd June, 2016, therefore, nothing survives for adjudication in this appeal.

In the facts and circumstances of this case, interim order of 3rd June, 2016 is made absolute and this appeal and application are disposed of in terms thereof. Liberty is granted to appellant to seek reference to the arbitrator in respect of the vehicle in question.

(SUNIL GAUR)
JUDGE

SEPTEMBER 19, 2016
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