

**HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO**

**WRIT PETITION No.27559 of 2005**

**ORDER :**

Petitioner No.1 is a Company and petitioner No.2 is a Receiver appointed by the Delhi High Court in a pending Company Petition being dealt with by the Delhi High Court in Suit No.920 of 1994, which is now re-numbered as 1514 of 1994. The present writ petition is filed seeking a direction to respondent Nos.1 and 2 not to entertain any registration of sale agreement, sale deed or any other document alienating the suit schedule property without the consent of the 2<sup>nd</sup> petitioner, who was appointed as Court Receiver (Receiver) by the Delhi High Court, by order, dated 13.02.1995 in F.A.O. (OS) 265 of 1994.

2. It appears that suit No.307 of 1993 was filed initially in Mumbai and on transfer to Delhi High Court it was numbered as 1514 of 1994. A.S.No.343 of 1993 was originally filed before the Bombay High Court and on transfer, the Delhi High Court renumbered the same as O.S.No.265 of 1994 and the same was dismissed by a Division Bench, by order, dated 14.06.1993. However, when the matter was taken to the Supreme Court, it was set aside and remitted to the Delhi High Court.

3. The Delhi High Court, by its order, dated 13.02.1995, *inter alia* restrained Agarwal Group of Company from entering an agreement of sale or any transfer or encumber immovable properties of the Vinedale or of the four investment companies without the sanction of

the Delhi High Court. It was further stated that the said direction would operate from that day and in the stay order, it was also stated that the Agarwal Group of Directors will have to be Joint Receivers of the Vinedale Company and shall be answerable to the Delhi High Court for their actions and omissions. In view of the said direction, no additional order is necessary in the present writ petition. However, it is made clear that the said order is binding on respondent Nos. 1 and 2 unless superseded/modified by another order.

4. Accordingly, the writ petition is disposed of.

5. Miscellaneous Petitions pending, if any, shall stand closed. No order as to costs.

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**A. RAMALINGESWARA RAO, J**

29<sup>th</sup> June 2017.

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