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

+ O.M.P.(I) (COMM.) 254/2017

HOLISOL LOGISTICS PRIVATE LIMITED..... Petitioner

Through Ms.Avsi M.Sharma, Adv.

versus

THE AMERICAN SWAN LIFESTYLE COMPANY PRIVATE.
LIMITED. & ORS. ... Respondent

Through

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **13.10.2017**

IA No.11844/2017 in O.M.P.(I) (COMM.) 254/2017

This application is filed for modification of the order dated 25.9.2017 passed by this Court. By the said order this Court had permitted the officers of the petitioner company to visit the godown/warehouse on 9.9.2017 and remove the assets/goods belonging to the petitioner as depicted/stated in Annexure P-14 to the petition. A Local Commissioner was also appointed to visit the godown/warehouse on the said date and time and to make an inventory of the assets/goods which have been taken out by the petitioner and which belongs to the petitioner and to take necessary photographs.

By the present application it is urged that there are racks installed in the godown, dismantling of which will take considerable time. Hence, it is prayed that the petitioner be granted three weeks' time to remove its assets as detailed in Annexure C and D from the Narsinghpur Warehouse. It is

also prayed that there are certain variations in the list which is annexure P-14 to the petition. It is now prayed that the petitioner be permitted to remove the goods as detailed in Annexure C and D of this application.

Application is allowed subject to the following:-

- (i) The Local Commissioner obviously cannot supervise removal of goods for three weeks. The Local Commissioner will visit the godown on 24.10.2017 at 11:00 AM and make an inventory of the goods lying there and take photographs as per Annexure C and D.
- (ii) The respondents No.2 and 3 will permit access to godown for a period of three weeks commencing from 24.10.2017, subject to the petitioner compensating the respondents No.2 and 3 for their expenses of a sum of Rs.30,000/-.
- (iii) The petitioner will ensure that the goods as per Annexure C and D are removed within three weeks.
- (iv) The petitioner will also file an affidavit on record on or before 17.10.2017 of an authorised officer stating that the goods as stated in Annexure C and D belong to the petitioner and that these are the only goods that will be removed.

Application is disposed of.

A copy of this order will be served dasti on respondents No.2 and 3.

A copy of this order be given dasti under signatures of the court master, as prayed.

JAYANT NATH, J

OCTOBER 13, 2017

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