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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CM(M) 1403/2018

M/S ICICI BANK LIMITED

..... Petitioner

Through: Mr.Punit K Bhalla, Advocate

versus

MY MONEY VALUE SERVICES PVT LTD & ANR

..... Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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04.12.2018

CM APPL.48255/2018

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CM(M) 1403/2018, CM APPL.48256/2018

This petition is against an order dated 15.11.2018 whereby the learned Trial Court on an application filed by one Ayyub Hasan, purported owner of the vehicle bearing No.UP-16-BA-7702, Eco-Sport, restrained the receiver earlier appointed by the same learned Trial Court to repossess the vehicle in question till further orders.

It is to be noted earlier vide order dated 27.04.2018, the learned Trial Court has appointed the receiver to repossess the vehicle in question, but considering the Registration Certificate, copy of which placed on record reveal Ayyub Hasan was the registered owner of the vehicle, the impugned order dated 15.11.2018 was passed. Presently, the vehicle in question is in the custody of the Police.

The learned counsel for the petitioner says the original invoice as well as the hypothecation deed is in favour of the petitioner and as such the petitioner is entitled to repossess the vehicle in question.

In the facts of the case, the petition is disposed of with a liberty to petitioner to approach the learned Trial Court by filing an appropriate application in this regard and till its disposal the vehicle in question shall remain in the custody of the police. The pending application is also disposed of. Order *dasti*.

YOGESH KHANNA, J.

DECEMBER 04, 2018

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