$~37

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

\+ EX.P. 408/2015

VISTRA ITCL (INDIA) LIMITED ..... Decree Holder

Through: Ms. Shweta Sahu with Mr. Brijesh Kumar, Advs

versus

C&C CONSTRUCTIONS LIMITED & ORS...... Judgement Debtors

Through: Mr. Nikhil Parikshith, Adv

CORAM:
HON'BLE MR. JUSTICE RAJIV SHAKDHER

O R D E R

% 04.12.2018

Ex. APPL. (OS) 524/2018 (For release of the Original Share Certificates filed with the Registrar General)

1. Issue notice to the non-applicant/decree holder.

2. Learned counsel for the non-applicant/decree holder says that she does not wish to file a reply to the captioned application as she has instructions not to oppose the prayer made in the application.

3. The substantive prayer made in the application is as follows:-

> *"Allow the present Application and consequently direct the Registry of this Hon'ble Court to release the original physical share certificates of the Judgment Debtors, namely, Judgment Debtor Nos.2, 3, 4, 5, 6, 7, 9, 10, 11, 13, 14 and 15 and direct the Banks of the Judgment Debtors Nos. 2, 3, 4, 6, 7, 8, 9, 10, 11, 13 and 16 to permit the said Judgment Debtors to operate their Bank Accounts without any hindrance and not to transfer any further*

monies that are / may be deposited in the said accounts to the Decree Holder."

4. The record shows that on 26.10.2018, the main Execution petition was dismissed as withdrawn and all pending applications were closed as the non-applicant/decree holder had indicated to the Court that a settlement had been reached with the applicants/judgment debtors.

5. The applicants/judgment debtors have approached this Court on account of difficulties faced principally with their bankers in operation of the bank accounts.

6. In view of the fact that counsel for the non-applicant/decree holder does not dispute that a settlement has been arrived at between the parties and does not object to the prayer made, the prayer made in the captioned application is allowed.

7. Furthermore, the Registry will release the original share certificates available in physical form to the applicant/judgment debtors as adverted to in the prayer clause above and the concerned banks will allow the applicants/judgment debtors to operate their bank accounts without any hindrance unless they are served with an order of a Competent Court stating the contrary.

8. The application is disposed of in the aforesaid terms.

9. *Dasti* under the signatures of Court Master.

RAJIV SHAKDHER, J

DECEMBER 04, 2018

c