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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CM(M) 2110/2023**  
**SANTOSH GOSWAMI** ....Petitioner

Through: Mr. Abhinav Garg & Mr. Mihir  
Gujjewar, Advocates

versus

**NINA S KHARADE AND ORS** .....Respondent  
Through: Mr. Kunal Madan, Advocate for R-1

**CORAM:**  
**HON'BLE MR. JUSTICE MANOJ JAIN**

**ORDER**

**03.07.2024**

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**CM APPL. 9301/2024**

1. This application has been filed by respondent no. 1 under Section 151 CPC praying therein that the order passed by this Court on 20.12.2023 requires clarification.
2. As per said order, this Court had allowed the present petition and stayed operation of orders dated 16.08.2023 and 20.10.2023 passed by SCDRC in E.A. 20/2023 until the application for interim stay filed in Appeal Execution is heard and adjudicated by NCDRC.
3. It will be useful to refer to relevant paras whereby the present petition had been disposed of by the Coordinate Bench of this Court on 20.12.2023. Such paras read as under:-

*“7. There is no material on record to show that late Shri Vipul Krishna Goswami purchased the asset in his name on behalf of the Judgement*



*Debtor, Company and therefore, the inference drawn by the State Commission in order dated 16.08.2023 is not borne out from the record.*

*8. This Court is, therefore, satisfied that until the interim application for stay filed in Execution Appeal is heard by the NCDRC, the Petitioner herein is entitled to stay with respect to the operation of the order dated 16.08.2023 and 20.10.2023 passed by the State Commission.*

*9. Accordingly, prayer sought in this petition is allowed and the operation of the order dated 16.08.2023 and 20.10.2023 passed by the State Commission in EA No. 20/2023 is stayed until the application for interim stay filed in appeal i.e. Appeal Execution No. AE/251/2023 pending before NCDRC is heard and adjudicated upon.*

*10. It is made clear that the final disposal of the stay application before the NCDRC will be uninfluenced by the observations made in this order.*

*11. With the aforesaid directions, the present petition is disposed of along with pending application”.*

4. Aforesaid order and direction is very specific and the operation of the orders dated 16.08.2023 and 20.10.2023 has been stayed until the application for interim stay pending before NCDRC is heard and adjudicated upon.
5. The counsel for respondent no. 1 is always at liberty to make appropriate request before the NCDRC so that application is heard and adjudicated without any delay.
6. Be that as it may, there is no requirement of clarifying the above order.
7. Application stands disposed of accordingly.

**MANOJ JAIN, J**

**JULY 3, 2024/dr**