

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO-COM-29-2022(O&M)
Date of Decision: 01.02.2024

M/S DLF LTD, GURUGRAMAppellant

Vs

M/S PAISALO DIGITAL LIMITED, NEW DELHI AND OTHERS
.....RESPONDENTS

CORAM: *HON'BLE MR. JUSTICE G.S. SANDHAWALIA*
HON'BLE MS. JUSTICE LAPITA BANERJI

Present: Mr. Kunal Dawar, Advocate for the appellant.

Mr. Vijay Pratap Singh, Advocate and
Mr. Vishal Saini, Advocate
for respondent No.1.

G.S.SANDHAWALIA, J.(Oral)

[1]. The present appeal is directed against the order of the Commercial Court, Gurugram dated 14.09.2022, wherein the objections of the appellant being a third party to the attachment and the sale of property No.74, building No.103 in DLF Silver Oaks Apartments, DLF City, Phase-1, Residential Group Housing Project have been rejected.

[2]. Vide the interim order dated 22.12.2022, the Co-ordinate Bench of this Court had stayed the aforesaid order while issuing notice of motion.

[3]. Learned counsel for the appellant has brought to our notice that in the application filed by respondents No.2 and 3 herein, vide order dated 11.04.2023, the execution has been stayed by the Commercial Court in view

of interim moratorium granted by the NCLT, New Delhi, Special Bench (Court-III) in view of Section 96 of Insolvency and Bankruptcy Code, 2016. Learned counsel for the appellant has also submitted that since the execution proceedings now have come to stand still, he has instructions not to press the present appeal at this point of time. In case, he has any grievance at subsequent point of time, he be given liberty to revive the appeal.

[4]. Learned counsel for respondent No.1 (plaintiff/decreed holder) has no such objection.

[5]. Accordingly, the present appeal is dismissed as not pressed with the aforesaid liberty.

(G.S. SANDHAWALIA)
JUDGE

(LAPITA BANERJI)
JUDGE

01.02.2024
Prince

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No