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

+ EX.F.A. 24/2024

KRITHEE KESHAV ANAND

..... Appellant

Through: Mr. Namit Suri, Ms. Purnima
Singh and Ms. Tanya Sharma,
Advs.

versus

BHILANGANA HYDRO POWER LTD. & ANR.

..... Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

24.06.2024

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CM APPL. 35499/2024

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

EX.F.A. 24/2024, CM APPL. 35498/2024

3. This appeal is filed in terms of Order XXI Rule 58(4) read with Section 96 of the Civil Procedure Code, 1908 [“CPC”] by the petitioner, who is the Judgment Debtor, assailing impugned order dated 07.06.2024 passed by the learned District Judge-03, New Delhi District, Patiala House Courts, New Delhi.
4. No one is present for the respondents despite sending advance notice.
5. Having heard the learned counsel for the petitioner, this Court is not inclined to interfere at this stage. However, it is only recorded that a submission is made to the effect that the impugned order granting



release of the Car in favour of the Judgment Debtor, which was attached earlier by the Court, is in contravention of Section 49 of the Partnership Act, 1932 read with Order XXI Rule 51(A) of the CPC.

6. The petitioner shall be at liberty to move appropriate review application before the learned District Judge/Executing Court concerned, which shall be considered in accordance with law.

7. The present appeal along with pending application stands disposed of accordingly without prejudice.

**DHARMESH SHARMA
(VACATION JUDGE)**

JUNE 24, 2024/sm