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

+ **CS(COMM) 682/2021**

ALSTONE INTERNATIONAL

.....Plaintiff

Through: Mr. Ashutosh Kumar, Mr. Sajan
Shankar Prasad, Mr. Swarnil Dey,
Ms. Radhika Pareva and Mr.
Partheshwar Singh, Advs.

versus

VIOLA DECORATIVES PVT LTD

.....Defendant

Through: Ms. Meenakshi Ogra and Mr.
Samrat S. Kang, Advs.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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16.05.2025

**I.A. 31243/2024-By defendant for de-sealing and selling off of goods
which were bought from the plaintiff itself**

1. This Court finds that though the parties herein had entered into a compromise, which has been recorded in the order dated 07.02.2024 passed by this Court, whereafter a decree was passed herein.
2. On 07.02.2024, one Mr. Deepankar Garg, authorized representative/director of the defendant had himself appeared physically before this Court and made a statement on his own accord resulting in the passing of the decree by this Court. Today, it is the same Mr. Deepankar Garg, director of the defendant who has filed the present application.
3. Further, the said Mr. Deepankar Garg is holding the same position

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of a Director at the time of filing the present application on 15.05.2025 as he was holding at the time of passing of the decree by this Court on 07.02.2024.

4. Admittedly, neither of the parties, especially the defendant, have sought an amendment/ modification/ rectification/ clarification of the said decree as also not challenged the same. Despite thereto, the defendant is seeking permission of this Court to retract from its own statements duly recorded *vide* order dated 07.02.2024 as also asking this Court to go beyond the decree as the reliefs sought herein cannot be granted without seeking amendment/ modification/ rectification/ clarification of the said decree.

5. All the above raise a doubt in the minds of this Court qua the maintainability of the present application. Upon putting it to the learned counsel for the defendant, she seeks, and is granted, four weeks for addressing arguments on the maintainability of the present application.

6. Accordingly, renotify on 14.08.2025.

SAURABH BANERJEE, J

MAY 16, 2025/Ab