



2025:DHC:3449-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of decision: 05.05.2025

+ **FAO(OS) 55/2025**

KEDARNATH GUPTA (DECEASED) THR LR

.....Appellant

Through: **Mr.Akshay Makhija, Sr.**
Advocate with Ms.Mallika
Gupta and Mr.Abhishek
Kumar, Advocates.

versus

M/S GUNJAN INFRASTRUCTURE PVT. LTD. & ORS.

.....Respondents

Through: **Mr.Vivek Chib, Sr. Advocate**
with Mr.Rohit Oberoi,
Mr.Vaibhav Sethi and
Mr.Umang Bhatia, Advocates
for R-1 to 3.
Mr.Tushar Singh, Mr.Abhilash
Mr. Pratyaksh Bhadoria and
Ms.Aastha Kaushik, Advocates
for R-5.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MR. JUSTICE DHARMESH SHARMA

NAVIN CHAWLA, J. (Oral)

CM APPL. 27159/2025 (Exemption)

1. Allowed, subject to all just exceptions.

FAO(OS) 55/2025 & CM APPL. 27158/2025, CM APPL.
27160/2025

2. This appeal has been filed, challenging the Order dated



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15.04.2025 passed by the learned Single Judge of this Court in I.A. 6058/2025 in CS(OS) 617/2018, titled **Mr. Kedarnath Gupta v. M/S Gunjan Infrastructure Pvt. Ltd. & Ors.**, *inter alia* directing that the appellant herein shall file an affidavit disclosing details of her bank accounts along with the latest statement of her bank accounts to secure the deposit of Rs. 15 crores, and in the meantime, she is restrained from transferring any amount from her bank accounts outside India.

3. The limited grievance of the appellant in the present appeal is that as only a sum of Rs. 15 crores was received by the appellant in terms of the Settlement Deed dated 11.10.2022 recorded between the parties, the restraint could, at best, have been for the said amount.

4. The learned Senior Counsel for the appellant submits that the appellant has a valid objection against the documents which the respondents wish her to execute purportedly in terms of the Settlement Agreement dated 11.10.2022.

5. Issue notice.

6. Notice is accepted by Mr. Rohit Oberoi, the learned counsel for the respondent nos.1, 2 and 3, and by Mr. Tushar Singh, the learned counsel for the respondent no.5.

7. Given the limited nature of the relief sought, notice need not be issued to the respondent no.4.

8. The counsel for the respondent nos. 1 to 3 submits that the documents that are being asked to be executed by the appellant are in terms of the Settlement Agreement dated 11.10.2022. He, however,



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fairly submits that the Impugned/restraint order be presently confined to Rs. 15 crores.

9. Keeping in view the submissions made, we modify the Impugned Order only to the limited extent that for the present, the appellant shall be allowed to transfer amount from her bank accounts only after maintaining a minimum balance of Rs. 15 crores in her bank accounts before any transfer is made from the same by her.

10. The details of her bank accounts and the bank statements are allowed to be filed by the appellant in a sealed cover before the learned Single Judge. It will be for the learned Single Judge to determine, upon hearing the parties, whether these are to be disclosed to the respondents.

11. Insofar as the submissions made by the learned counsels for the parties with respect to the documents that are to be executed by the appellant are concerned, we leave it open to the learned Single Judge to determine the said issue on merit.

12. The appeal is disposed of with the above modifications in the impugned order. The pending applications also stand disposed of.

NAVIN CHAWLA, J

DHARMESH SHARMA, J

MAY 5, 2025

Sc/my/SJ

[Click here to check corrigendum, if any](#)