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

+ O.M.P.(I) (COMM.) 271/2024

ADITYA BIRLA FINANCE LIMITEDPetitioner

Through: Ms. Sanjukta Roy, Advocate.

versus

M/S NINANIYA ESTATE LTD AND ORSRespondents

Through: Mr. Sonal Anand, Mr. Aayush Sai
and Ms. Surbhi Singh, Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **16.09.2025**

I.A. 17199/2025

1. This application is filed on behalf of Petitioner under Order XXII Rule 10 read with Section 151 CPC seeking substitution of the Petitioner in place of the current Petitioner, namely, Aditya Birla Finance Limited.
2. It is stated in the application that the substitution is necessitated on account of the fact that pursuant to Section 5(3) and other relevant provisions of the Securitisation and Reconstruction of Finance Assets and Enforcement of Security Interest Act, 2002 ('SARFAESI Act'), Petitioner has unconditionally and irrevocably assigned its debt due from the Respondents with all rights, title and interest arising out of and in relation to such debt including without limitation, all underlying security interests and guarantees in favour of the Petitioner herein. Amended memo of parties has also been placed on record.
3. Having gone through the application and for the reasons stated



therein, the same is allowed substituting the present Petitioner/Aditya Birla Finance Limited with the applicant namely, UV Asset Reconstruction Company Ltd.

4. It is made clear that this substitution is for the limited purpose of the present petition and as and when steps are taken by the Petitioner to seek substitution in any other forum, it will be open to the Respondents to raise objection(s), in accordance with law.

5. Application is disposed of.

6. Next date of hearing before the Joint Registrar (Judicial) on 14.11.2025 is cancelled.

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7. Amended memo of parties is taken on record.

8. Counsel for the substituted Petitioner, on instructions, seeks to withdraw this petition with liberty to assert rights in accordance with law against the Respondents in different forums.

9. The petition is disposed of as withdrawn with liberty as prayed for in accordance with law.

10. It is made clear that this Court has not expressed any opinion on the merits of the case and all rights and contentions of the respective parties are left open.

JYOTI SINGH, J

SEPTEMBER 16, 2025

Ch