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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ EFA(COMM) 2/2026 CM APPL. 527/2026 CM APPL. 528/2026 CM
APPL. 529/2026
KUNAL BHUNSALI

.....APPELLANT

Through: Mr. Samman Vardhan Gautam, Ms
Khushi Sharma, Mr. Priyam Tiwari
and Ms Anshika Priyadarshini, Advs.

versus

INTEC CAPITAL LIMITED AND ANR.

.....RESPONDENTS

Through: Mr. Pranav Goyal, Ms Pooja
Chaudhary, Mr. Vishant Singh and
Mr. Mreeganka Goyal, Advs. for R-1.

CORAM:
HON'BLE MR. JUSTICE DINESH MEHTA
HON'BLE MR. JUSTICE VINOD KUMAR

ORDER
06.01.2026

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1. Before the learned counsel for the appellant could formulate his arguments, learned counsel for the respondents raised a preliminary objection that the appellant is nobody inasmuch as the arbitral proceedings were undertaken between Intec Capital Limited and Kew Precision Private Limited & Ors., whereas the appellant claims to have 12% shareholding in Kew Precision Private Limited.
2. Learned counsel for the appellant at this juncture submitted that the appellant is having 12% shareholding in the company and is thus interested



in the cause of the company, and that he is an aggrieved person having filed an objection under Section 47 read with Order XXI Rule 58, Rules 97 to 101 & Section 151 of the Code of Civil Procedure, 1908 before the Executing Court.

3. On Court's query, learned counsel for the appellant informed that the company has not been dissolved.

4. A company incorporated under the provision of the Companies Act, 1956, is a separate legal entity and a juristic person and if any objection in relation to arbitral award, even on the ground of the competence of the sole arbitrator appointed in terms of the arbitration agreement is to be raised, then the same has to be raised by the company and not by the shareholder individually.

5. The objection raised by learned counsel for the respondent therefore has substance.

6. At this juncture, learned counsel for the appellant sought liberty to withdraw the present appeal, so also the subject application resisting the execution filed before the Executing Court, however, with the liberty to file fresh objections before the Executing Court.

7. The present appeal, so also the objections filed by the present appellant are hereby allowed to be withdrawn. The liberty as prayed for appears to be reasonable, hence, we hereby grant.

8. The impugned order dated 26.12.2025, is thus rendered *non-est* and the same is, therefore, declared as such.

9. In case the objections are filed by the Judgment Debtor-Company within a period of 15 days from today, the Executing Court shall consider the same in accordance with law, without being influenced by any



observations made by us or the findings recorded in its previous Order dated 26.12.2025. The objections (if filed) be decided preferably within thirty days of the same being filed.

10. Appeal stands disposed of in the aforesaid terms, alongwith pending applications.

DINESH MEHTA, J

VINOD KUMAR, J

JANUARY 6, 2026/dd