

\$~2 (original side)

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

+ EX.P. 33/2020 & E.A. 438/2020

TWC AVIATION CAPITAL LIMITED Decree Holder
Through: Mr. Ankur Mahindro, Adv.

versus

JET LITE (INDIA) LIMITED Judgement Debtor
Through: None

CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER
% **25.06.2020**
(Video-Conferencing)

1. The petitioner, in the execution petition, seeks execution of a judgment and decree, dated 15th May, 2020, passed by the High Court of Justice, Queen's Bench Division, London, United Kingdom, whereby the Queen's Bench of the High Court has decreed, in favour of the petitioner, an amount of USD 24,234,907.74 along with costs of £ 151,355.91. Additionally, the respondent has been directed to deliver, to the petitioner, the items identified in the Schedule to the decree, failing which additional damages and pre-judgment interest, totaling to USD 687,894.90, have been awarded.

2. Repeated attempts have been made, to effect service of this petition, on the respondent, *inter alia*, by e-mail, at the e-mail ID of the respondent, available on the respondent's website as well as the e-

mail ID of its director, as provided by the petitioner.

3. There is no response, from the judgment debtor, and there is no appearance on its behalf, either. Mr Mahindroo informs that the respondent was in default of appearance, before the Queens Bench, too.

4. It is seen that Jet Airways Limited, which holds 99% of the shares in the judgment debtor company, is presently under the IBC, and an Insolvency Resolution Professional (IRP) has been appointed for the said company.

5. Let notice of this application be issued to the IRP, appointed in respect of M/s Jet Airways Limited, who would be joined by the petitioner, as an additional respondent in these proceedings.

6. Let an amended memo of parties be filed within three days.

7. Notice be issued to the additional respondent consequent on the said amended memo of parties being filed.

8. The petitioner is also directed to effect substituted service of the present petition and the orders passed thereon, by way of publication in the Delhi and Bombay editions of “The Times of India” and “The Indian Express” (both online, and otherwise) for the 29th and 30th June, 2020, and to file proof thereof, under cover of an affidavit, prior to the next date of hearing.

9. In the circumstances, the judgment debtor is restrained, till the next date of hearing, from alienating or creating third party interests, in respect of its assets, to the extent of the amount decreed in favour of the petitioner, i.e. which has been quantified in the petition as ₹ 183,24,01,374/-, till the next date of hearing.

10. Renotify on 8th July, 2020.

11. The judgment debtor is at liberty to file a response to the petition as well as the application, prior to next date of hearing.

C. HARI SHANKAR, J.

JUNE 25, 2020

dsn