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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 252/2024 & I.As. 6759/2024, 6762/2024**
M/S WEDDING PARK HOSPITALITIES PVT. LTD Plaintiff
Through: Mr. Abhinav Ramkrishna, Adv.

versus

SHWETA SHARMA & ORS. Defendants
Through: None.

CORAM:
JUSTICE PRATHIBA M. SINGH

ORDER
% **27.05.2024**

1. This hearing has been done through hybrid mode.

I.A. 6762/2024 (for exemption)

2. This is an application for permission to file a lengthy list of dates and synopsis. For the reasons stated therein, permission is granted. Application is disposed of.

CS(COMM) 252/2024 & I.As. 6759/2024 (for stay)

3. The Plaintiff filed the present suit to restrain the Defendants from dealing with the assets of M/s Wedding Park Hospitalities Pvt. Ltd., a company engaged in wedding and event management. The Plaintiff had leased a 12-acre property known as 'Jannat Valley' in Faridabad, Haryana. Considering the application under Order XXXIX Rule 1&2 CPC, this Court, on 22nd March, 2024, directed as under:

"24. In the opinion of this Court, the Plaintiff has made out a prima facie case in its favour for grant of interim injunction. The balance of convenience also lies in favour of the Plaintiff as if the injunction is not granted, the Defendant may cause irreparable harm to



the Plaintiff and its business. Accordingly, it is directed that till the next date of hearing, Defendant No.1 shall not be allowed to enter into the premises of the Plaintiff's property. All the records, account books etc. shall now be in the control of the Plaintiff. The Plaintiff is stated to already have issued a letter to the Bank-Yes Bank Ltd.- Greater Kailash I stating that she ceases to be the authorized signatory. The said Bank would give effect to the same and take on record the new authorized signatory of the Plaintiff. Defendant No.1 shall also stand restrained from operating any bank account of the Plaintiff or conducting any other activity on behalf of the Plaintiff.

25. *Accordingly, upon an oral request of the Plaintiff, a Local Commissioner is appointed in this matter. **Ms. Leena Tuteja, Advocate (M:9810049061)**, who is present in Court, is appointed as the Local Commissioner to visit the premises of the Plaintiff and take charge of all the records, accounts, computer systems and the entire office of the Plaintiff, which is located in the premises. The Plaintiff is free to depute some of its own officials on its behalf, who will now be in-charge of the said office. The mandate of the Local Commissioner would be as under:*

(i) Local Commissioner shall visit the premises at property admeasuring 12 acres, which is identified as 'Jannat Valley' at Surajkund - Bhadkal Road, Opposite Manav Rachna International University, Sector-43, Faridabad, Haryana along with police assistance and shall take charge of the office of the Plaintiff in the said suit premises. The Local Commissioner shall also take charge of the computers, records and other documents relating to the booking events, bank accounts, tax returns and other business documents. Computers shall also be taken control of and the passwords shall be



provided by the Defendant No.1 or by anyone who is present in the premises at the time of execution of commission. The said records, systems etc. shall be handed over to the Plaintiff's official, who may accompany the Local Commissioner.

(ii) The Local Commissioner is free to do photography and videography of the proceedings.

(iii) Local Commissioner shall ensure that the commission is executed with least amount of disturbance in the premises and if there are events currently taking place, the same shall not be disturbed in any manner.

(iv) The Local Commissioner is also free to seize any records relating to the Defendant No.2 company, if available in the subject premises. Any records of the Defendant No.2, which may be lying in the premises, shall be sealed and be placed in a cupboard under lock and key, the key shall be deposited with the report.

(v) The data, which is residing in the computers, shall be copied in a hard drive and the same shall be produced on the next date of hearing before the Court.

(vi) Once the Local Commissioner reaches the police station seeking cooperation, the Local Commissioner would also give notice to Defendant No.1 on her mobile number (M:9899992608) of the execution of the local commission.

(vii) Defendant No.1 or anyone acting on her behalf shall extend all cooperation and shall not cause any disruption or obstruct the commission in any manner."



4. In terms of the order dated 22nd March, 2024, the Local Commissioner - Ms. Leen Tuteja has placed on record her report dated 3rd April, 2024 which shows that the local commission was executed on 27th March, 2024.

5. As per the said report, the following events are placed on record by the ld. Local Commissioner:

- The Local Commissioner gave adequate notices to Defendant No.1 - Ms. Shweta Sharma. At the time of the execution of the commission, Defendant No.1 and her mother - Ms. Geeta Sharma who is Defendant No.3, were present.
- A copy of the order, plaint and documents was served by the Local Commissioner upon Defendant Nos. 1 and 3.
- Resistance was shown by Defendant No.1 for execution of the commission as per the Local Commissioner.
- One mobile phone, which was in the name of the Plaintiff-company, was taken into possession by the Local Commissioner.
- The other registers and records relating to the Plaintiff were also found and were handed to the Plaintiff's representative. An i-Pad was also found and was handed over to the Plaintiff.
- Records relating to M/s Magnifique Artiste Et Entertainment Pvt. Ltd. were also found. The same were kept in an almirah and was locked. The key has been filed with the report.

6. The Plaintiff is now stated to have come into control of his company. Defendant Nos. 1 and 2 have been served. Vide order dated 21st May, 2024, the Joint Registrar has directed service to a fresh address for Defendant No. 3. However, in view of the fact that Defendant No. 3 was personally present at the time of the commission's execution, this Court directs that no further



service is required for Defendant No. 3. Accordingly, all the Defendants are deemed to be served.

7. There is no appearance on behalf of the Defendants. The Registry's report also shows that Defendant No. 2, which is the entity run by Defendant No. 1, has been served. Therefore, all three Defendants are taken to be served. Since none appear for the Defendants, they are proceeded against *ex-parte*.

8. The interim order dated 22nd March, 2024 shall continue during the pendency of the suit. ***I.A. 6759/2024*** is disposed of.

9. List for framing of issues on 4th September, 2024.

PRATHIBA M. SINGH, J.

MAY 27, 2024

Rahul/dn