THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN THE COURT OF FIRST INSTANCE

BETWEEN

STATE BANK OF INDIA (DIFC BRANCH)

Claimant

and

(1) NMC HEALTHCARE LLC
(2) NMC SPECIALITY HOSPITAL LLC
(3) NEW MEDICAL CENTRE LLC
(4) NEW MEDICAL CENTRE SPECIALITY HOSPITAL AL AIN
(5) MR. BAVAGUTHU RAGHURAM SHETTY

Defendants

ORDER OF H.E JUSTICE NASSIR AL NASSER

UPON the Claimant's application filed on 26 May 2021 requesting, amongst other things, additional time for service of the claim form on the Fifth Defendant (the **"Application"**)

AND UPON the Third Defendant filing an Acknowledgment of Service on 8 July 2020

AND UPON the First Defendant filing an Acknowledgment of Service on 6 August 2020

AND UPON the Second and Fourth Defendant filing an Acknowledgment of Service on 1 February 2021

AND UPON the Court issuing a Consent Order on 6 December 2020 ordering a stay of these proceedings as against the First and the Third Defendants until the administration proceedings in the ADGM are brought to an end as against the First and the Third Defendants in accordance with the provisions of the ADGM Insolvency Regulations (2015) (as in force from time to time)

AND UPON the Court issuing a Consent Order on 4 February 2021 ordering a stay of these proceedings as against the Second and the Fourth Defendants until the administration proceedings in the ADGM are brought to an end as against the First and the Third Defendants in accordance with the provisions of the ADGM Insolvency Regulations (2015) (as in force from time to time)

AND UPON considering the Claimant's Application Notice CFI-047-2021/4 dated 26 May 2021, and Third Witness Statement for an order to extend the period to serve the Claim Form on the Fifth Defendant, order to serve the Fifth Defendant through judicial deputation service and order for publication in India where the Fifth Defendant currently resides (the **"Application"**)

AND UPON the Claimant's undertaking to be responsible for expenses of the Registrar pursuant to RDC r.9.63 following its request made on 8 March 2021.

AND PURSUANT to RDC r.7.21

IT IS HEREBY ORDERED THAT:

1. The Application is granted.

2. The time frame for service of the Part 7 claim form dated 7 June 2020 on the Fifth Defendant shall be extended by six months from the date of this Order.

3. The Claimant will serve the Claim form on the Fifth Defendant through judicial deputation service in India, the current place of residence of the Fifth Defendant.

4. The Claimant shall be permitted to serve the Claim by publication, once in an English language newspaper and once in a local language newspaper in India, the current place of residence of the Fifth Defendant.

5. The Claimant shall file a Certificate of Service along with copies of the English and local newspapers via the eRegistry for the publication carried out in India and service by judicial deputation.

6. The Claimant shall file an affidavit under RDC r. 13.23 and r. 13.24 in the event the Fifth Defendant fails to acknowledge service of the Claim Form.

7. Costs in the case.

8. Liberty to apply.

Issued by:
Nour Hineidi
Registrar
Date of issue: 30 May 2021
At: 12pm