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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ EX.P. 324/2010 & EA 525/2010

CITI FINANCIAL CONSUMER FINANCE
INDIA LTD

..... Decree Holder

Through: Mr. Pawan Sharma, Advocate

versus

VENKATESHWARLU NAMANI & ANR
Through:

..... Judgement Debtor

**CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI**

ORDER
17.09.2010

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The decree holder has preferred the present execution petition to seek the transfer of the award passed by the learned Arbitrator at Delhi on 27.02.2010 in favour of the decree holder and against the judgment debtors from this Court to the Bombay High Court, Mumbai, since the movable and immovable properties of the judgment debtors are lying within the local limits of the jurisdiction of the Bombay High Court, Mumbai.

The arbitral award is not a decree of this court. Merely because arbitral awards can be executed as decree passed by Civil Courts and the arbitral award in question has been rendered in Delhi, it does not

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mean that the same becomes a decree passed by this Court and therefore would require to be transferred to the place where the judgment debtor resides or his properties are situated. This Court has already held in ***Daelim Industrial Co. Ltd. v. Numaligarh Refinery Ltd., MANU/DE/1316/2009*** in the aforesaid terms.

Consequently, the present petition is dismissed with liberty to the decree holder to initiate execution proceedings in respect of the award before the competent court.

Dasti.



VIPIN SANGHI, J

SEPTEMBER 17, 2010

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