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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
F-128.

+ **O.M.P. 428/2008**

M/S. SUKUMAR CHAND JAIN Petitioner
Through: Mr. Sandeep Sharma and Mr. Brighu
Dhami, Advocates.

versus

MAHANAGAR TELEPHONE NIGAM LTD. & ANR... Respondents
Through: Mr. R. Kaushik for Mr. H.S. Dahiya,
Advocate.

CORAM: JUSTICE S. MURALIDHAR

% **ORDER**
25.11.2016

IA. 9959/2008 (Exemption)

1. Allowed subject to just exceptions.

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2. This is a petition under Section 9 of the Arbitration and Conciliation Act, 1996 ('Act'). The basis for the present petition is that despite an Award dated 3rd December 2007 passed by the learned Arbitrator, the Respondent was seeking to recover a sum of Rs.6,14,145 which according to the Petitioner formed the subject matter of one of the claims which had been allowed by the learned Arbitrator.

3. It is pointed out that the objections filed by the Respondents to the Award dated 3rd December 2007 have not been dismissed.

4. It is seen that in the present matter by an order dated 22nd August 2008 it was directed that the letter dated 11th August 2008 issued by the Respondents seeking to make the above recovery should not be given effect to. Over 8 years have elapsed since then and the Court sees no reason in keeping the present petition pending. The interim order is made absolute.

5. The petition is disposed of.

S. MURALIDHAR, J

NOVEMBER 25, 2016
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