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

+ **O.M.P. 1047/2014 & I.A. No.16528/2014**

MARIMUTHU A & ORS Petitioners
Through None

versus

M/S RELIGARE INVEST LTD Respondent
Through Mr.Ajay Uppal, Adv.

+ **O.M.P. 1048/2014 & I.A. No.16530/2014**

MARIMUTHU A & ORS Petitioners
Through None

versus

M/S RELIGARE INVEST LTD Respondent
Through Mr.Ajay Uppal, Adv.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN SINGH

ORDER

% **16.03.2016**

The petitioners in the above said matters have filed the objections under Section 34 of the Arbitration and Conciliation Act, 1996 on 26th August, 2014. The Awards under challenge are dated 27th April, 2013. Learned counsel for the respondent has pointed out that the petitioners were at least aware about the passing of the Awards on 23rd May, 2013, however, no steps were taken by them to obtain the copies of the Awards. He submits that on the face of the record, the objections are barred by limitation. He has also pointed out the order dated 5th October, 2015 and submits that the

petitioners have failed to deposit the amount in terms of para 3 of the said order. The said order is reproduced here as under:-

“1. Learned counsel for the respondent submits that the respondent advanced a loan of approximately Rs.50,00,000/- to the petitioner who repaid only Rs.13 lakh and approximately Rs.49.73 lakh is outstanding.

2. Learned counsel for the petitioners submits that the petitioners have paid Rs.25,89,500/-. Learned counsel for the petitioner further submits that the award has been passed *ex parte* and the award may be set aside and the petitioner may be permitted to contest the claim on merits.

3. Since, admittedly more than Rs.24 lakh is outstanding towards principal, it would appropriate for the petitioners to pay/deposit the balance principal amount and at least Rs.10 lakh towards the interest.

4. Learned counsel for the petitioners seeks time to take instructions. Learned counsel for the petitioners further submits that the petitioners are willing to amicably settle the matter.

5. Learned counsel for both the parties agree to meet along with their respective clients in the Executive Centre of Delhi High Court Bar Association on 12th October, 2015 at 04:00 p.m. to explore the possibility of an amicable settlement.

6. List for reporting outcome of the settlement talks on 30th October, 2015.”

Even, there is no appearance on behalf of the petitioner when the matters are taken up. Both the petitions are accordingly dismissed. Pending applications also stand disposed of. Dasti.

MANMOHAN SINGH, J.

MARCH 16, 2016/ka