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

+ OMP (ENF.) (COMM.) 59/2016

AHLUWALIA CONTRACT (INDIA) LTD. THROUGH ITS AR &
GM (CONTRACTS) MR. M.K. HINGORANI Petitioner

Through Mr.Akshat Gupta & Mr.Ritik Malik,
Advocates

versus

AKM ENTERPRISES (P) LTD. Respondent

Through Mr.S.K.Dubey and Mr.Rajmangal
Kumar, Advs.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **05.09.2017**

This execution petition is filed under Section 36 of the Arbitration & Conciliation Act, 1996 (*hereinafter referred to as 'the Act'*) read with Order 21 Rules 9 and 10 CPC to execute the award dated 17.09.2015.

Under Section 36 of the Act(un-amended), where the time for making an application to set aside arbitral award has expired, or such application having been made, it has been refused, the award shall be enforced under the CPC in the same manner as if it were a decree of the court. In the present case, admittedly the objections are pending in O.M.P. (COMM) 2/2016. At this stage, the present execution petition is misplaced and is accordingly disposed of with liberty to the petitioner to file a fresh petition at appropriate stage as per law.

JAYANT NATH, J.

SEPTEMBER 05, 2017/v