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

% Judgment delivered on: 10.07.2017

+ EX.P. 46/2017

HIND TERMINALS PRIVATE LTD. Decree Holder

versus

UNION OF INDIA Judgment Debtor

Advocates who appeared in this case:

For the Petitioner : Mr. Ajay Saroya, Adv.

For the Respondent : Mr. Jagjit Singh and Mr. Preet Singh, Advs.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

10.07.2017

SANJEEV SACHDEVA, J. (ORAL)

1. This is a petition seeking enforcement of the decree i.e. Arbitral Award dated 30.05.2016.

2. It is an admitted position that the proceedings were conducted under the un-amended Arbitration & Conciliation Act, 1996 (i.e. prior to amendment by the Arbitration & Conciliation, Amendment Act, 2015).

3. Petition under Section 34 of the Act impugning the arbitral award dated 30.05.2016, execution of which has been sought in these proceedings, is stated to be pending before the court of Addl. District Judge.

4. Learned counsel for the Decree Holder submits that the objections are not maintainable and have been filed before the wrong forum.

5. The above aspect is yet to be adjudicated. It is an admitted position that Section 34 petition is still pending and the notice has been issued in the same.

6. In view of the above, the present petition is pre-mature. Accordingly, the same is disposed of being pre-mature.

7. Needless to state that the Decree Holder shall have the liberty to file a fresh petition seeking enforcement subject to the outcome of Section 34 petition of Arbitration & Conciliation Act, 1996.

SANJEEV SACHDEVA, J

JULY 10, 2017

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