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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **EX.P. 45/2017**
INDIA INFRASTRUCTURE & LOGISTICS PRIVATE LTD.

..... Decree Holder

Through Mr. Ajay Saroya, Advocate

versus

UNION OF INDIA

..... Judgement Debtor

Through Mr. Jagjit Singh, Sr. Standing Counsel
with Mr. Preet Singh, Advocate

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **11.05.2017**

E.A. 217/2017 (exemption)

Exemption is allowed subject to all just exceptions.

The application stands disposed of.

EX.P. 45/2017

This is a petition filed under Section 36 of the Arbitration and Conciliation Act, 1996 (hereafter 'the Act') seeking enforcement of the arbitral award dated 30th May, 2016. It is stated that the Judgment Debtor's application under Section 34 of the Act is pending and is now listed before the court of Additional District Judge on 13.07.2017.

The arbitration clause, in the present case, was invoked prior to the Arbitration and Conciliation (Amendment) Act, 2015, coming into effect. Thus, in view of the decision of the Division Bench of this Court

in *ARDEE Infrastructure Pvt. Ltd. v. Ms. Anuradha Bhatia and Ors: 237 (2017) DLT 140*, the present petition is premature and the same is accordingly dismissed with liberty to the Decree Holder to file it afresh, subject to outcome of the Judgment Debtor's application under Section 34 of the Act.

VIBHU BAKHRU, J

MAY 11, 2017

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